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| <p style="text-align: center;">Page 1</p> <p>IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION</p> <p>CHARLENE CARTER, § § Plaintiff, § § v. § Civil Action No. § 03:17-cv-02278-S</p> <p>SOUTHWEST AIRLINES CO., § AND TRANSPORT WORKERS § UNION OF AMERICA LOCAL § 556, § § Defendants. §</p> <hr/> <p style="text-align: center;">REMOTE ORAL AND VIDEOTAPED DEPOSITION OF CHARLENE CARTER November 20, 2020</p> <hr/> <p style="text-align: center;">***** PORTIONS OF TRANSCRIPT DESIGNATED CONFIDENTIAL: PAGE 132:13 THROUGH 134:6 PAGE 134:19 THROUGH 135:10 *****</p> <hr/> <p style="text-align: center;">REMOTE ORAL AND VIDEOTAPED DEPOSITION OF CHARLENE CARTER, located at her residence in Aurora, Colorado, produced as a witness at the instance of the Defendant Southwest Airlines Co., and duly sworn, taken in the above-styled and numbered cause on November 20, 2020, from 10:02 a.m. to 4:36 p.m., before Joseph D. Hendrick, Certified Shorthand Reporter in and for the State of Texas, reported by machine shorthand, pursuant to Notice and the Federal Rules of Civil Procedure and any provisions stated on the record or attached hereto.</p> <p>Job No. 4341722</p> | <p style="text-align: right;">Page 2</p> <p>1 APPENDICES 2 FOR THE PLAINTIFF: Mathew B. Gilliam (Via Zoom) 3 NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, INC. 4 8001 Braddock Road, Suite 600 Springfield, Virginia 22160 5 Telephone: 703-321-8510 Facsimile: 703-321-9319 6 Email: Mbg@nrtw.org 7 FOR THE DEFENDANT SOUTHWEST AIRLINES: Michael A. Correll (Via Zoom) 8 REED SMITH LLP 2501 N. Harwood Street, Suite 1700 9 Dallas, Texas 75201 Telephone: 469-680-4200 10 Facsimile: 469-680-4299 Email: mcorrell@reedsmith.com 11 FOR THE DEFENDANT TRANSPORT WORKERS UNION OF AMERICA LOCAL 556: 12 Adam S. Greenfield (Via Zoom) 13 Edward B. Cloutman III (Via Zoom) CLOUTMAN & GREENFIELD 14 3301 Elm St. Dallas, TX 75226 15 Phone: 214-939-9222 Email: agreenfield@candglegal.com 16 ALSO PRESENT: 17 Chris Maberry (Via Zoom) Lauren Armstrong (Via Zoom) 18 Norm Harris, Videographer (Via Zoom) 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 3</p> <p>1 INDEX 2 Appearances 2 3 Portion of transcript designated confidential 4 End of confidential designation 5 6 Portion of transcript designated confidential 7 End of confidential designation 8 Telephone conference with Judge Rutherford .. End of telephone conference..... 9 10 CHARLENE CARTER 11 EXAMINATION BY MR. CORRELL 6 EXAMINATION BY MR. GREENFIELD 223 12 Signature and Changes 277 13 Reporter's Certification 279 14 EXHIBITS 15 NO. DESCRIPTION PAGE(S) 16 EXHIBIT 1 Certified Mail sent by 25 Southwest Airlines Co. to Charlene Carter dated March 14, 2017 17 EXHIBIT 2 Exhibit marked but not offered 30 18 EXHIBIT 3 SWA000595 to SWA000692 30 Text messages from Charlene Carter to Audrey Stone 21 EXHIBIT 4 Excerpt of testimony from the 52 arbitration re the termination of Charlene Carter dated December 8, 2017 22 23 24 25</p> <p style="text-align: right;">Page 4</p> <p>1 EXHIBIT 5 CONFIDENTIAL DOCUMENT 68 Message between Charlene Carter and Jeanna Jackson dated March 30, 2017 2 3 EXHIBIT 6 Carter 411 to Carter 416 92 Privileged & Confidential Reinstatement Settlement and Last Chance Agreement dated April 17, 2017, unsigned 4 5 6 EXHIBIT 7 CONFIDENTIAL DOCUMENT 105 Text messages between Charlene Carter and Lynn McGomery 7 8 EXHIBIT 8 EEOC charge 113 9 10 EXHIBIT 9 Carter 2417 143 Billing records from Leader Care 11 12 EXHIBIT 10 CONFIDENTIAL DOCUMENT 143 Billing records from Leader Care 13 14 EXHIBIT 11 Plaintiff Charlene Carter's 166 Responses and Objections to Defendant Southwest Airlines Co.'s First Set of Interrogatories 15 16 EXHIBIT 12 Email from Charlene Carter to 188 Jim Little dated 5/28/2013 with attachments, Caught in Collusion 17 18 EXHIBIT 13 Carter 380 to Carter 382 204 Email chain date 8/3/2013 re Thom McDaniel for TWU Convention Delegate 19 20 21 EXHIBIT 14 Carter 4015 to Carter 4017 209 Message posted by Brett Nevarez; Memorandum Regarding Social Media Concerns 22 23 24 EXHIBIT 15 App. 4187 210 Message from Brian Talbert and an unsent response 25</p> |
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| 1 | EXHIBIT 16 App. 4190 211 Facebook post; Mike Casper to 2 Business Owners Fight Back Against Cyberbullies | 1 THE REPORTER: Before we go on the record, could I ask you to announce your appearances? 3 MR. CORRELL: Mike Correll appearing for 4 defendant Southwest Airlines. |
| 4 | EXHIBIT 17 Exhibit marked but not offered 213 | 5 MR. GILLIAM: Matthew Gilliam appearing for 6 plaintiff Charlene Carter. |
| 5 | EXHIBIT 18 CONFIDENTIAL DOCUMENT 213 Carter 4490 to Carter 4491 Screen shots | 7 MR. CLOUTMAN: Ed Cloutman, one of the 8 attorneys for Transport Workers Union Local 556. |
| 6 | | 9 MR. GREENFIELD: Adam Greenfield for 10 defendant Transportation Workers Union Local 556. |
| 7 | | 11 THE WITNESS: Charlene Carter, plaintiff. |
| 8 | REQUESTED DOCUMENTS/INFORMATION | 12 MR. CORRELL: And we are also joined by 13 Chris Maberry who is counsel for Southwest Airlines and 14 Lauren Armstrong who is also from Southwest Airlines. |
| 9 | NO. DESCRIPTION PAGE | 15 THE REPORTER: Would you raise your right hand, please. |
| 10 | 1 List of people treated unfairly by 264 Audrey Stone and her administration | 16 Do you swear or affirm that the testimony 17 you are about to give in this case will be the truth, 18 the whole truth, and nothing but the truth, so help you 19 God? |
| 11 | | 20 THE WITNESS: Yes, I do. |
| 12 | | 21 CHARLENE CARTER 22 having been duly sworn, testified as follows: 23 EXAMINATION 24 BY MR. CORRELL: |
| 13 | CERTIFIED QUESTIONS/INSTRUCTIONS NOT TO ANSWER | 25 |
| 14 | NO. PAGE/LINE | |
| 15 | None | |
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| 1 | Q. Good morning, Ms. Carter. As I mentioned a 2 moment ago, my name is Michael Correll and I am outside 3 counsel representing Southwest Airlines in this matter. 4 Ms. Carter, have you ever sat for a 5 deposition before? | 1 if you can give clear verbal answers it will make it 2 come out more clearly on the record. So if you can say 3 "yes" or "no" as opposed to nodding your head, shaking 4 your head or saying uh-huh or hu-huh. Okay? |
| 6 | A. No, I have not. | 5 A. Yes. |
| 7 | Q. In that case let's go over just a couple of 8 the basic ground rules that will make things go 9 smoothly today. First of all, Mr. Hendrick, the 10 reporter, just put you under oath. You will remain 11 under oath for the duration of the deposition. That 12 means if we take a break or if we go to lunch and come 13 back or if for some reason the deposition continues 14 day-to-day, then you will be under oath whenever you 15 are testifying on the record. Do you understand that? | 6 Q. The third thing is, sometimes I ask a bad 7 question, sometimes I ask a confusing question. If I 8 ask a question that you don't understand or that you 9 believe is confusing, please just let me know at any 10 time, I'm happy to clarify or rephrase the question. 11 Okay? |
| 16 | A. Yes, I do. | 12 A. Okay. |
| 17 | Q. Mr. Hendrick will be writing down 18 everything we say. As a result, if you do a couple of 19 things and I do a couple of things it will make for a 20 clear record so we understand what happened here today. 21 The first thing is, if you will let me finish my 22 questions, I'll try to let you finish your answers so 23 that we're not speaking over each other. Okay? | 13 Q. The other thing that's different today is 14 we are in a remote deposition. In a remote deposition 15 there's two extra things to be aware of. The first is 16 since we're not all sitting in the same room the court 17 reporter can't see when people enter the room and exit 18 the room so if anyone comes and joins you during the 19 deposition for an extended period of time, and I don't 20 mean just passing through the room, please let us know 21 so we can note their appearance. Okay? |
| 24 | A. Sounds good. | 22 A. Okay. |
| 25 | Q. The second thing is, when you give answers | 23 Q. Is there anyone with you in the room right 24 now for the deposition? |
| | | 25 A. No, there's not, but I need to go open the |

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| <p>1 door so that my dog can come in.</p> <p>2 Q. Perfect. If you can do that right now,</p> <p>3 please go ahead and we'll just wait right here.</p> <p>4 A. Sorry.</p> <p>5 THE WITNESS: Come on.</p> <p>6 She can let herself out but she cannot let</p> <p>7 herself back in.</p> <p>8 MR. CORRELL: That's more talented than</p> <p>9 most dogs.</p> <p>10 THE WITNESS: Yeah.</p> <p>11 BY MR. CORRELL:</p> <p>12 Q. The second issue with remote depositions is</p> <p>13 since I'm not in the room with you, I can't see what</p> <p>14 you are looking at. So if you choose to access</p> <p>15 materials or receive communications from someone who</p> <p>16 we are on the record, you need to let us know. Now</p> <p>17 when we take a break, if you talk to counsel or someone</p> <p>18 else, that's entirely your business and not something</p> <p>19 we'll be intruding upon, but if you are looking at</p> <p>20 documents or receiving messages or anything like that</p> <p>21 during the deposition you need to let us know. Okay?</p> <p>22 A. Okay.</p> <p>23 MR. CORRELL: And Mr. Hendrick, I just got</p> <p>24 a message from my paralegal that apparently the</p> <p>25 videographer was delayed and so the videographer is not</p> | <p>1 here, which I was suspicious about. Do we need to stop</p> <p>2 and let the videographer join? I won't worry about</p> <p>3 redoing this piece of it, but I just got that message.</p> <p>4 THE REPORTER: Yes, I would say we should</p> <p>5 go off the record.</p> <p>6 MR. CORRELL: Okay.</p> <p>7 THE REPORTER: I had no indication that we</p> <p>8 were going to have a videographer, so I apologize.</p> <p>9 MR. CORRELL: Understood. No problem.</p> <p>10 Let's take about five, ten minutes while I</p> <p>11 figure out where the videographer is and we'll jump</p> <p>12 back on and pick up where we left off.</p> <p>13 (Break from 10:08 a.m. until 10:15 a.m.)</p> <p>14 VIDEOPHGRAPHER: We are going back on the</p> <p>15 record at 9:15 a.m.</p> <p>16 MR. CORRELL: Ms. Carter, thank you for</p> <p>17 your patience. I just want to state for the record</p> <p>18 that the first five or so minutes of the deposition</p> <p>19 were not video recorded, they were transcribed. During</p> <p>20 that period Ms. Carter was put under oath and we just</p> <p>21 covered some basic preliminaries and that's where we</p> <p>22 stopped to have the videographer join us.</p> <p>23 BY MR. CORRELL:</p> <p>24 Q. And Ms. Carter, when I left off, we had</p> <p>25 just talked about remote deposition rules. The next</p> |
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| <p>1 thing is, as we are going today, if you need to take a</p> <p>2 break, please just let me know. I'm happy to stop at</p> <p>3 any time or as frequently as you need. The only thing</p> <p>4 I would ask is that if I have a question pending to you</p> <p>5 that you answer the question before we take a break.</p> <p>6 Okay?</p> <p>7 A. Okay.</p> <p>8 Q. Are you under the influence of any</p> <p>9 substance or do you have any injury or illness that</p> <p>10 would prevent you from testifying truthfully and</p> <p>11 completely today?</p> <p>12 A. No.</p> <p>13 Q. Do you have any other reason you can't</p> <p>14 testify truthfully and completely today?</p> <p>15 A. No.</p> <p>16 Q. What did you do to prepare for your</p> <p>17 deposition today?</p> <p>18 A. Just went back through some of the</p> <p>19 documents that -- like my complaint.</p> <p>20 Q. Other than your complaint, what other</p> <p>21 documents did you review?</p> <p>22 A. The interrogatories.</p> <p>23 Q. Any other documents you reviewed besides</p> <p>24 your complaint and the interrogatories?</p> <p>25 A. I believe that I was sent a link yesterday</p> | <p>1 and there were some documents on there that you had</p> <p>2 prepared.</p> <p>3 Q. Okay. Anything else that you reviewed to</p> <p>4 prepare for your deposition?</p> <p>5 A. No, no, sir.</p> <p>6 Q. Other than speaking with counsel, did you</p> <p>7 speak with anyone to prepare for your deposition?</p> <p>8 A. No, sir.</p> <p>9 Q. Did you review your testimony from the</p> <p>10 arbitration conducted in, I believe it was 2018, to</p> <p>11 prepare for your deposition?</p> <p>12 A. No, I did not.</p> <p>13 Q. When is the last -- have you ever reviewed</p> <p>14 the transcript of your testimony at the arbitration?</p> <p>15 A. It -- once it came out so it's been since</p> <p>16 whenever he rendered his decision.</p> <p>17 Q. So probably around in the 2019 time frame?</p> <p>18 A. Yes. Yes, sir.</p> <p>19 Q. And where do you currently reside,</p> <p>20 Ms. Carter?</p> <p>21 A. I live in Aurora, Colorado.</p> <p>22 Q. How long have you been at your current</p> <p>23 residence?</p> <p>24 A. A little over eight years.</p> <p>25 Q. And can you give us just a brief overview</p> |

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| <p>1 of your educational history both prior to coming to 2 Southwest and then any subsequent education that you 3 have had.</p> <p>4 A. I've had, oh, maybe two years of junior 5 college.</p> <p>6 Q. When was that?</p> <p>7 A. Oh gosh. Back in 19 -- let's see. I 8 graduated in '83 so it would have been like '84 9 and '85.</p> <p>10 Q. Since that time have you had any other 11 college courses or earned any college degrees?</p> <p>12 A. No, I have not.</p> <p>13 Q. Do you hold any certifications or licenses?</p> <p>14 A. I did. I was a dental assistant at one 15 point.</p> <p>16 Q. When was that?</p> <p>17 A. Oh, that was back in 1986-'87 maybe -- No. 18 I'm sorry, that -- no. That was in '84 and '85. While 19 I was going through junior college.</p> <p>20 Q. And that certification has been lapsed 21 since then?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Since leaving Southwest, have you gotten 24 any new certifications or any new degrees?</p> <p>25 A. Yes, I got my Pilates instructor's</p> | <p>1 certification.</p> <p>2 Q. When did you secure that?</p> <p>3 A. About three months ago my class ended and 4 my certification came through.</p> <p>5 Q. So about August of 2020 sound right?</p> <p>6 A. That's correct.</p> <p>7 Q. Other than the Pilates certification, any 8 other certifications that you have received since you 9 left your employment with Southwest?</p> <p>10 A. No, sir.</p> <p>11 Q. Are you currently employed?</p> <p>12 A. Unfortunately no, I'm not.</p> <p>13 Q. When was the last time you were employed?</p> <p>14 A. Last time I was actually employed and 15 making money was at Southwest Airlines. I've had two 16 business ventures since then.</p> <p>17 Q. What was the first business venture that 18 you just referenced?</p> <p>19 A. It was called Project Purpose.</p> <p>20 Q. What was Project Purpose?</p> <p>21 A. It was a program for children that had 22 either been expelled or had trouble at school, and it 23 was an after-school program to help them get back on 24 track so that they could go back to school.</p> <p>25 Q. What was your role at Project Purpose?</p> |
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| <p>1 A. I was the educational director. I put the 2 program pretty much together.</p> <p>3 Q. What was the date range from when you 4 started and left Project Purpose?</p> <p>5 A. The date range -- actually I started right 6 before I left -- or Southwest terminated me, so it 7 would have been January of 2017.</p> <p>8 Q. And when did you leave Project Purpose?</p> <p>9 A. Well, and this kind of sounds funny, but 10 there were four of us that were partners within this 11 venture, two of us left and went on to name it, another 12 business, and it was called Divine Intervention and 13 we --</p> <p>14 Q. Was -- oh please. Go ahead. I'm sorry.</p> <p>15 A. I'm sorry. And we were trying to implement 16 an actual academy school and that would have been like 17 in Ferguson, St. Louis. So everything that I was doing 18 was in the underdeveloped communities within St. Louis, 19 Missouri.</p> <p>20 Q. Is Divine Intervention the second business 21 venture you referenced a little earlier in your 22 testimony?</p> <p>23 A. Yes, sir.</p> <p>24 Q. When did you make the transition from 25 Project Purpose to Divine Intervention?</p> | <p>1 A. Probably six to eight months into the 2 Project Purpose. It might have been a year. I don't 3 know what the exact date. We were looking to get our 4 501(c)(3) with Project Purpose. That did not go 5 through because two of us left and created the 6 501(c)(3) for Divine Intervention.</p> <p>7 Q. Were you paid by Project Purpose?</p> <p>8 A. No, I was not. It --</p> <p>9 Q. Were you --</p> <p>10 A. -- was a business venture that we all paid 11 into.</p> <p>12 Q. So you did not draw any form of salary from 13 Project Purpose?</p> <p>14 A. No, we weren't -- we hadn't established our 15 501(c)(3) yet so all of us were, you know, putting in 16 our own money and funds into the -- into the project.</p> <p>17 Q. Why did you leave Project Purpose and go to 18 Divine Intervention?</p> <p>19 A. We had a bigger vision, the two of us, in 20 regards to how we wanted to structure and implement our 21 educational platform, and two of the other partners had 22 different views and it just wasn't -- it just wasn't 23 working. The --</p> <p>24 Q. To your knowledge -- oh. Please go ahead.</p> <p>25 A. I'm saying they just went their way and we</p> |

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| <p>1 went our way.</p> <p>2 Q. Does Project Purpose still exist?</p> <p>3 A. If it does, I don't know. I think they</p> <p>4 decided to come back here to Colorado and pursue that,</p> <p>5 but I don't think that it has gone anywhere.</p> <p>6 Q. You said both of these ventures were in</p> <p>7 St. Louis, correct?</p> <p>8 A. That is correct.</p> <p>9 Q. At some point, did you move to St. Louis to</p> <p>10 participate in these businesses, or did you do that</p> <p>11 from Colorado?</p> <p>12 A. Did it from Colorado. I actually was being</p> <p>13 housed there when I did go into St. Louis, and we did</p> <p>14 go about every two to three months as we were</p> <p>15 seeking -- well, basically donors and things like that</p> <p>16 for our 501(c)(3). And then setting up the school that</p> <p>17 we were going to open up.</p> <p>18 Q. And so for Project Purpose, I have January</p> <p>19 2017 and then about six to eight months. So that</p> <p>20 sounds right?</p> <p>21 A. Yeah, give or take, I'm not sure exactly</p> <p>22 the dates.</p> <p>23 Q. During that period did you seek paying</p> <p>24 employment from any other source?</p> <p>25 A. Not at that time because I was very much</p> | <p>1 involved in getting the educational program off the</p> <p>2 ground.</p> <p>3 Q. Was your work with Project Purpose</p> <p>4 full-time?</p> <p>5 A. Pretty much, yes.</p> <p>6 Q. When you say "pretty much," what do you</p> <p>7 mean?</p> <p>8 A. Well, I would say more than full-time</p> <p>9 because I was going back and forth from here to</p> <p>10 St. Louis.</p> <p>11 Q. And so you transitioned to Divine</p> <p>12 Intervention sometime in 2017 then?</p> <p>13 A. Yeah, like I said, it's give or take, you</p> <p>14 know, a couple of months there. It may have been right</p> <p>15 at about a year, and transferred. I could find out</p> <p>16 because we got our 501(c)(3) at a certain time and I</p> <p>17 just don't know exactly the date.</p> <p>18 Q. What -- are -- how long -- did you leave</p> <p>19 Divine Intervention at some point or are you still</p> <p>20 working with them?</p> <p>21 A. No. No. Divine Intervention? No. I left</p> <p>22 them.</p> <p>23 Q. When did you leave Divine Intervention?</p> <p>24 A. I would say it was last September. Not</p> <p>25 this -- no. I'm sorry. It would have been last March,</p> |
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| <p>1 Aprilish.</p> <p>2 Q. So when you say "last," do you mean 2019 or</p> <p>3 2020?</p> <p>4 A. 2020. That -- when I officially left.</p> <p>5 Q. And when you say "officially" there, was</p> <p>6 there some period of time where you were still listed</p> <p>7 but not doing anything, or what do you mean by that?</p> <p>8 A. No, that was when I resigned from my</p> <p>9 position.</p> <p>10 Q. Okay. What was your position at Divine</p> <p>11 Intervention?</p> <p>12 A. I was the educational director.</p> <p>13 Q. Did you hold that title the entire time?</p> <p>14 A. Yes, I did.</p> <p>15 Q. What did you do as the educational</p> <p>16 director?</p> <p>17 A. I was in control of putting together all of</p> <p>18 the curriculum that we were using in our classrooms,</p> <p>19 getting all of the structure together to train our</p> <p>20 teachers, putting everything together, too, as how we</p> <p>21 structured our classrooms, and then I would oversee</p> <p>22 the -- the actual -- once we got the school opened I</p> <p>23 would oversee all teachers and training and so forth.</p> <p>24 Q. Did you receive any pay for the work you</p> <p>25 did for Divine Intervention?</p> | <p>1 A. No, we did not. That was where I was -- we</p> <p>2 were still seeking. Because it's a 501 -- 501(c)(3),</p> <p>3 we were still seeking funding.</p> <p>4 Q. And that's true for the entire period you</p> <p>5 were with Divine Intervention?</p> <p>6 A. That is correct.</p> <p>7 Q. Why did you leave Divine Intervention?</p> <p>8 A. We were having issues with the funding and</p> <p>9 we had been -- we had been given a specific building</p> <p>10 that we were going to be opening up as our school and</p> <p>11 that fell through, and at that point it just -- it kind</p> <p>12 of dissolved. I mean, we had put so much money into</p> <p>13 this, I could no longer -- I could no longer do it.</p> <p>14 Q. So is Divine Intervention still operating?</p> <p>15 A. The partner that I was working with, I</p> <p>16 believe that he, because he bought me out of the</p> <p>17 501(c)(3), he is actually trying to start that I think</p> <p>18 up in Colorado Springs. So far it has not come to</p> <p>19 fruition, unfortunately.</p> <p>20 Q. So when you say the partner bought you out,</p> <p>21 what transaction occurred there?</p> <p>22 A. Well, what I mean is he had to -- he had to</p> <p>23 give me the money back of, you know, because I -- I</p> <p>24 paid for half of the 501(c)(3) and got it all</p> <p>25 implemented, so it was like \$350 I think it is that he</p> |

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| <p>1 paid me back.</p> <p>2 Q. Okay. So --</p> <p>3 A. And then took my name off the 501(c)(3).</p> <p>4 Q. So the only exchange there was he paid you</p> <p>5 \$350 back that you had previously paid into the entity?</p> <p>6 A. Yes.</p> <p>7 Q. Did anything similar happen when you left</p> <p>8 Project Purpose?</p> <p>9 A. No, because we had not gotten our 501(c)(3)</p> <p>10 set up yet.</p> <p>11 Q. In terms of workload, would you say the</p> <p>12 Divine Intervention workload was the same as what you</p> <p>13 described for Project Purpose, more than full-time?</p> <p>14 A. Yes, it was actually more so because I was</p> <p>15 spending a lot more time in St. Louis.</p> <p>16 Q. While you were working with Divine</p> <p>17 Intervention, did you seek paying employment from</p> <p>18 anywhere else?</p> <p>19 A. I did actually. I got a quote-unquote</p> <p>20 supposed interview with Delta, and then also with</p> <p>21 United Airlines as flight attendant positions.</p> <p>22 Q. And I'm sorry, you said Delta, and who was</p> <p>23 the second one?</p> <p>24 A. United.</p> <p>25 Q. What happened with the Delta Air Lines</p> | <p>1 application?</p> <p>2 A. Well, they sent me everything so that I</p> <p>3 could do my interview but never sent the link, and so I</p> <p>4 had corresponded between them in that time period, I</p> <p>5 would say within a three, four-week time period and</p> <p>6 never received the link. And they still don't know why</p> <p>7 to this day.</p> <p>8 But anyway, from there, you know, things</p> <p>9 have changed with hiring, unfortunately they're now</p> <p>10 letting people go; and United I did interview with</p> <p>11 them.</p> <p>12 Q. What was the result of the interview?</p> <p>13 A. I did not get the position.</p> <p>14 Q. Did they tell you why?</p> <p>15 A. No. It just said that -- thank you for</p> <p>16 applying, and thank you for interviewing, and we look</p> <p>17 forward to hopefully hearing from you again the next</p> <p>18 go-round.</p> <p>19 Q. So with the Delta and the United</p> <p>20 applications, were those ones where you just submitted</p> <p>21 one each and those are the only flight attendant</p> <p>22 applications you submitted or were there others?</p> <p>23 A. No, those were the only two at the time.</p> <p>24 Nobody -- at that time I wasn't seeking employment as</p> <p>25 in with other airlines except for those two.</p> |
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| <p>1 Q. Why not?</p> <p>2 A. I don't know. Those were the two on my top</p> <p>3 list. I had worked for American back in the day and</p> <p>4 was a flight attendant for them, and then came to</p> <p>5 Southwest.</p> <p>6 Q. So how many applications would you say you</p> <p>7 have submitted for flight attendant positions since you</p> <p>8 left Southwest?</p> <p>9 A. I submitted four. I submitted one to</p> <p>10 Frontier, my husband is a captain for them, and then I</p> <p>11 submitted another one to JetBlue and didn't hear</p> <p>12 anything back from either one.</p> <p>13 Q. Did you ever reapply to any of the airlines</p> <p>14 we have discussed, Delta, United, Frontier, or JetBlue?</p> <p>15 A. No, I did not, and the reason being was</p> <p>16 because of the business venture that I was in with --</p> <p>17 especially with Divine Intervention.</p> <p>18 Q. Aside from applying for flight attendant</p> <p>19 positions, is there any other paying employment you</p> <p>20 sought while you were working with Divine Intervention?</p> <p>21 A. Not -- not so much as in seeking because I</p> <p>22 was really involved in the venture of what I was trying</p> <p>23 to do with Divine Intervention. It was going to be a</p> <p>24 paid position. I had a salary already set up. But no,</p> <p>25 I did not. I was very much involved in getting that</p> | <p>1 started. That was -- that was my passion at that</p> <p>2 point.</p> <p>3 Q. What was the salary you were expecting at</p> <p>4 Divine Intervention?</p> <p>5 A. Around 120.</p> <p>6 Q. Thousand?</p> <p>7 A. Yes.</p> <p>8 Q. Since leaving Divine Intervention, have you</p> <p>9 sought paying employment from anyone?</p> <p>10 A. Through my certification with my Pilates,</p> <p>11 yes.</p> <p>12 Q. I'll ask you about the Pilates in a moment.</p> <p>13 Other than the Pilates, any other paying employment</p> <p>14 that you have sought since you left Divine</p> <p>15 Intervention?</p> <p>16 A. No.</p> <p>17 Q. What have you done with respect to the</p> <p>18 Pilates certification?</p> <p>19 A. Well, I got my certification and -- which</p> <p>20 was, you know, a year-long's worth of schooling, and</p> <p>21 right now with the COVID being that it is, the two</p> <p>22 studios that I was actually going to try and work with</p> <p>23 are not hiring so right now there's no real hiring</p> <p>24 within that industry due to there's -- I mean, some of</p> <p>25 my friends are losing their jobs because of this.</p> |

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| <p>1 Q. Now, you started with Southwest Airlines in 2 September of 1996, correct? 3 A. That is correct. 4 Q. And you left Southwest Airlines on 5 March 14th of 2017, right? 6 A. That is correct. 7 Q. And from the beginning of that period until 8 the end of that period, you held the title of flight 9 attendant, right? 10 A. Yes, sir. 11 Q. And you never held any other positions with 12 Southwest Airlines? 13 A. No, sir. 14 Q. Do you have the exhibit screen available to 15 you so that I can show you some documents? 16 A. I do. 17 Q. Okay. 18 A. Oop. And I don't know how to work all of 19 this, to be quite honest with you, but I guess you can 20 see me. Okay. So yes, I've got that. 21 (Deposition Ex. 1 marked) 22 BY MR. CORRELL: 23 Q. And you should see in just a moment what 24 will populate as Exhibit 1. 25 A. Okay. Is that just going to pop up on my</p> | <p>1 screen? 2 Q. Yes, ma'am. 3 A. Okay. 4 Q. It should pop into the folder for the 5 exhibits. You may have to refresh. I am not a hundred 6 percent certain on that. 7 A. Okay. Well, let me refresh. Okay. It 8 says Exhibit 1. 9 Q. Okay. And can you open that document, 10 please? 11 A. I sure can. Okay. 12 Q. Do you recognize that document? 13 A. Yes, sir, I do. 14 Q. What is that document? 15 A. That is the document that they sent me 16 stating that I was terminated. 17 Q. And did you receive this letter close in 18 time to the date of March 14th, 2017? 19 A. Yes. 20 Q. I just want to walk through a couple points 21 in the letter. First of all, at the beginning, the 22 first sentence, if you will read along quietly, I will 23 read aloud. "On March 7, 2017, a fact-finding meeting 24 was held to discuss certain messages and videos you 25 posted on your Facebook page and sent to another</p> |
| Page 27 | Page 28 |
| <p>1 Southwest employee through Facebook Messenger." 2 Did I read that correctly? 3 A. Yes, you did. 4 Q. Based on your understanding, is that true, 5 was there a fact-finding meeting conducted as described 6 on March 7, 2017? 7 A. Yes. 8 Q. The next sentence describes a list of 9 individuals who attended that meeting. Do you see that 10 sentence? 11 A. Yes. 12 Q. Have you had a chance to read it? 13 A. Yes. 14 Q. Does that accurately list the individuals 15 who attended your fact-finding meeting? 16 A. Yes, except that when Ed started the 17 meeting, Denise Gutierrez -- and this is also in my 18 fact-finding minutes on my rep -- she was introduced as 19 an attorney for Southwest. 20 Q. Okay. But she was present and I believe 21 she appeared by telephone, correct? 22 A. That is correct. 23 Q. Is there anybody not listed who either 24 appeared in person or via telephone at your 25 fact-finding meeting?</p> | <p>1 A. No. 2 Q. I want to take you next to the second 3 paragraph and I will read the first sentence to you 4 while you read along quietly. "During the meeting, you 5 admitted you posted graphic videos of aborted fetuses 6 on Facebook and sent the same videos in a private 7 Facebook message to another Southwest flight 8 attendant." 9 Did I read that correctly? 10 A. Yes, you did. 11 Q. Is it true that you admitted during the 12 fact-finding meeting that you posted graphic videos of 13 aborted fetuses on Facebook? 14 A. Yes. 15 Q. Is it true that you admitted that you sent 16 the same videos in a private message to another 17 Southwest flight attendant? 18 A. I sent them to Audrey Stone who was my 19 president of the union, yes. 20 Q. And Ms. Stone was also employed as a flight 21 attendant by Southwest Airlines at that time, correct? 22 A. She was employed, yes. 23 Q. Well, I mean, my question is specific so I 24 want to make sure the record is clear. She was 25 employed by Southwest Airlines as a flight attendant,</p> |

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| <p>1 correct?</p> <p>2 A. Correct.</p> <p>3 Q. The next sentence reads, "You also admitted</p> <p>4 to sending the Flight Attendant a private message</p> <p>5 containing a picture of individuals wearing costumes</p> <p>6 depicting the female genitalia."</p> <p>7 Did I read that correctly?</p> <p>8 A. Yes, you did.</p> <p>9 Q. Is it true that you admitted that in the</p> <p>10 fact-finding meeting?</p> <p>11 A. Yes, it is.</p> <p>12 Q. Last sentence of that paragraph, "You</p> <p>13 agreed that the pictures and videos were graphic."</p> <p>14 Did I read that correctly?</p> <p>15 A. Yes.</p> <p>16 Q. Did you admit that at the fact-finding</p> <p>17 meeting?</p> <p>18 A. Yes.</p> <p>19 Q. Next I want to take you to two new</p> <p>20 additional exhibits, and I'll have you look at both of</p> <p>21 them before we discuss them.</p> <p>22 A. Will they just come up on the screen?</p> <p>23 Q. Yes, ma'am. That's how all of -- that's</p> <p>24 how I'm going to convey all of the documents to you</p> <p>25 today.</p> | <p>1 A. Okay. Okay.</p> <p>2 Q. And you will have the full ability to look</p> <p>3 at them as they come up and control them as you need</p> <p>4 to.</p> <p>5 A. Okay.</p> <p>6 (Deposition Exs. 2 and 3 marked)</p> <p>7 BY MR. CORRELL:</p> <p>8 Q. So Exhibit 2 should now be available to you</p> <p>9 if you could take a look at that, and I'll go ahead and</p> <p>10 release Exhibit 3 as well.</p> <p>11 A. Okay. Okay. Do I need to refresh again?</p> <p>12 Q. Oh. There's an error here. That is not</p> <p>13 the correct document for Exhibit 2. Give me one</p> <p>14 moment.</p> <p>15 We'll just go to Exhibit 3 and we'll come</p> <p>16 back to Exhibit 2 later because I believe that's an</p> <p>17 incorrect upload. I'll have to get that corrected when</p> <p>18 we take a break.</p> <p>19 A. Okay. So Exhibit 3?</p> <p>20 Q. Yes, ma'am.</p> <p>21 A. Okay.</p> <p>22 Q. And so this is a fairly lengthy document.</p> <p>23 If you want to scroll through it you're welcome to, I</p> <p>24 have some just very simple questions once you have a</p> <p>25 chance to familiarize yourself with it.</p> |
| Page 31 | Page 32 |
| <p>1 But do you recognize this document?</p> <p>2 A. Yes, sir, I do.</p> <p>3 Q. What is this document?</p> <p>4 A. This is the private message that I sent to</p> <p>5 my union president Audrey Stone.</p> <p>6 Q. And to be clear, this document consists of</p> <p>7 about 100 pages, right? If you scroll down.</p> <p>8 A. I believe so, yes.</p> <p>9 Q. And there's -- and all of these appear to</p> <p>10 be messages that you sent to Ms. Carter, correct?</p> <p>11 Excuse me. To Ms. Stone.</p> <p>12 A. Yes. But I will say the only ones that I</p> <p>13 was called in for were of the videos that I sent her.</p> <p>14 Q. What do you mean when you say that?</p> <p>15 A. Those were the only ones that were used in</p> <p>16 my fact-finding meeting and also in my second step</p> <p>17 meeting.</p> <p>18 Q. When you say "used," what do you mean?</p> <p>19 A. Those are the ones that I was called in</p> <p>20 for.</p> <p>21 Q. Well, no, and that's what I'm trying to</p> <p>22 understand. Are these the ones that were shown to you,</p> <p>23 what -- what was done with these documents at your</p> <p>24 fact-finding?</p> <p>25 A. The only ones that were shown to me were</p> | <p>1 the ones of the videos, pictures that you see. The</p> <p>2 remaining were not -- were not a part of my</p> <p>3 fact-finding meeting.</p> <p>4 Q. Now, do you acknowledge that all of these</p> <p>5 are messages that you sent to Ms. Stone?</p> <p>6 A. Yes, as for being my president of the</p> <p>7 union, it was.</p> <p>8 Q. And prior to sending the messages,</p> <p>9 beginning on the first page and continuing on to the</p> <p>10 second page, did Ms. Stone report you to Southwest</p> <p>11 Airlines?</p> <p>12 A. No. As a matter of fact, we never even had</p> <p>13 any communications.</p> <p>14 Q. Did Ms. Stone ever respond to you with</p> <p>15 respect to any of these messages?</p> <p>16 A. No, she did not. She was very hard to --</p> <p>17 to speak with.</p> <p>18 Q. What efforts did you make to contact</p> <p>19 Ms. Stone aside from sending these messages, if any?</p> <p>20 A. Through emails.</p> <p>21 Q. And --</p> <p>22 A. And going to a, you know, a union meeting</p> <p>23 before I became an objector.</p> <p>24 Q. To the best of your recollection, what</p> <p>25 emails did you send to Ms. Stone?</p> |

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| <p>1 A. Regarding their -- let's see, it was 2 regarding the National Right to Work Foundation, some 3 of the emails that I responded to had to do with our 4 voting, some of the other emails may have had to do 5 with charges that were brought up against some other 6 union members. I -- I don't recall all of them.</p> <p>7 Q. Did you send those emails from your 8 Southwest email account or from a personal email 9 account?</p> <p>10 A. I don't recall.</p> <p>11 Q. Have you provided copies of all of those 12 emails to your counsel?</p> <p>13 A. Some of them I don't even think that I have 14 anymore because they're not on my system. I -- I -- 15 I've provided everything that I have to my attorney.</p> <p>16 Q. The ones that are not on your system 17 anymore, do you have a sense of when they were lost?</p> <p>18 A. I don't. I had a hard drive crash and they 19 tried to get everything, as much as they could off of 20 my old system and put it on this system.</p> <p>21 Q. When did that occur?</p> <p>22 A. Oh gosh, that was -- let's see, my son -- 23 2015 maybe. 2015-2016.</p> <p>24 Q. When did you attempt to speak to Ms. Stone 25 at a union meeting?</p> | <p>1 A. The last time that I spoke with her was in 2 2013, at a union meeting.</p> <p>3 Q. Can you tell me about that conversation?</p> <p>4 A. Well, I mean, it was a union meeting. It 5 was put forth -- you know, I mean, there was a lot of 6 topics that were there. One of them being that she was 7 not the duly elected president. They had taken out 8 our -- our other team of elected officials.</p> <p>9 Q. So was this a one-on-one conversation, or 10 was this just a general meeting environment?</p> <p>11 A. Well, everybody has a moment to speak at a 12 union meeting.</p> <p>13 Q. So were you standing up in the meeting and 14 speaking in front of the meeting to Ms. Stone, or were 15 you privately speaking to her on the side?</p> <p>16 A. No, it was in the meeting.</p> <p>17 Q. What did you say to Ms. Stone in that 18 meeting?</p> <p>19 A. I don't recall everything that I said that 20 day.</p> <p>21 Q. Do you recall anything that you said that 22 day?</p> <p>23 A. I read out loud the bylaws that we want to 24 change, I do remember that, and that I read out the -- 25 basically the coup that had been talked about with all</p> |
| Page 35 | Page 36 |
| <p>1 of them now that were representing us to take out the 2 last group, and that would have been Stacy Martin, 3 Chris Click, Jerry Lindermann, Dawn Wann, and Jana 4 Deloache.</p> <p>5 Q. Did Ms. Stone respond to you?</p> <p>6 A. She did not respond. It was basically a 7 document that I was able to read, several documents 8 that I was able to read, regarding some of the things 9 that were said by the people that actually now were 10 representing us.</p> <p>11 Q. But she -- but she never had a direct 12 response to you.</p> <p>13 A. No. As a matter of fact, she's never 14 really had a direct response with a whole lot of 15 people. She's very hard -- she was very hard to get 16 ahold of.</p> <p>17 Q. Was this the first time you ever engaged 18 directly with Ms. Stone?</p> <p>19 A. Yes, it was.</p> <p>20 Q. Would it be fair to characterize that 21 meeting as confrontational?</p> <p>22 A. It wasn't confrontational. It was just 23 basically stating some facts that were -- that we all 24 knew about.</p> <p>25 Q. Were you upset?</p> | <p>1 A. Upset at just -- not upset, just more of 2 how could they take out our elected, the way that they 3 did it, and just be placed into office.</p> <p>4 Q. Between 1996 and 2013, had you ever had 5 occasion to encounter Ms. Stone in any other setting?</p> <p>6 A. No.</p> <p>7 Q. Other than the emails you have described in 8 the union meeting at 2013 and sending the messages 9 depicted in Exhibit 3, did you make any other efforts 10 to communicate with Ms. Stone directly?</p> <p>11 A. Just by the emails of if I disagreed with 12 something that the union was doing or paying for, and 13 those are, like I said, those would have been the 14 emails that -- you know, I sent most every -- I mean, 15 I've sent everything that I have, but no, I never 16 actually saw her in person. There was never a reason 17 to as in, you know, she wasn't flying online.</p> <p>18 Q. How do you know that?</p> <p>19 A. Well, you could look at her board and find 20 out when she was flying at that time. I mean, all of 21 us were able to see where our elected officials, unless 22 they blocked their screens.</p> <p>23 Q. Did you go look at her board to see if she 24 was flying?</p> <p>25 A. No, I did not go and look at her board, but</p> |

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| <p>1 we all knew when she was flying basically.</p> <p>2 Q. Well, and that's what I'm trying to figure</p> <p>3 out is how did you know personally, you, Charlene</p> <p>4 Carter, know when she was flying if you weren't looking</p> <p>5 at her board.</p> <p>6 A. The only times that I knew that she</p> <p>7 actually flew was when she was out campaigning for our</p> <p>8 contract, and she had posted on her -- or I guess it</p> <p>9 was on Southwest 556 web page. That's basically how we</p> <p>10 all knew how our, you know, member -- or our leaders</p> <p>11 were either flying or not flying was through the 556</p> <p>12 web page and through the -- through the LM2s which are</p> <p>13 the financials.</p> <p>14 Q. What's an LM2?</p> <p>15 A. The LM2s are the recorded financial</p> <p>16 statements, and every quarter you could actually</p> <p>17 request to see those. There was a couple of times that</p> <p>18 I had gone in and talked to John Parrott, especially</p> <p>19 since my dues were not being collected and put into my</p> <p>20 account properly at one point.</p> <p>21 Q. Now, a union officer can fly trips for pay</p> <p>22 while serving as a union officer, correct?</p> <p>23 A. Oh, yes. Yes.</p> <p>24 Q. So how do you know that Ms. Stone was not</p> <p>25 flying trips for pay?</p> | <p>1 A. Well, I knew she was at some point because</p> <p>2 they would post it when they were flying.</p> <p>3 Q. So your understanding was that any time</p> <p>4 Ms. Stone did not post that she was flying and working</p> <p>5 as a flight attendant, she was not doing so?</p> <p>6 A. No. She has a full-time job within the</p> <p>7 union office.</p> <p>8 Q. Going back to Exhibit 3, if we look at the</p> <p>9 first page and the second page, those both appear to be</p> <p>10 videos; is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Are they videos?</p> <p>13 A. They are videos, yes.</p> <p>14 Q. Now, when an individual goes into Facebook</p> <p>15 Messenger and opens it, those videos play</p> <p>16 automatically, don't they?</p> <p>17 A. No, they do not.</p> <p>18 Q. What is your basis for disputing that those</p> <p>19 videos automatically begin playing when you open the</p> <p>20 message?</p> <p>21 A. You have to click on the button that plays</p> <p>22 it.</p> <p>23 Q. You were present at the arbitration in</p> <p>24 2018, correct?</p> <p>25 A. That is correct.</p> |
| Page 39 | Page 40 |
| <p>1 Q. And you were present for Audrey Stone's</p> <p>2 testimony about those videos, correct?</p> <p>3 A. That is correct.</p> <p>4 Q. And you were present when she testified</p> <p>5 that when she opened Facebook, those began playing,</p> <p>6 correct?</p> <p>7 A. They had to turn those videos on to play</p> <p>8 them.</p> <p>9 Q. So you dispute her prior testimony that</p> <p>10 those played automatically when she opened the</p> <p>11 messenger window to your messages?</p> <p>12 A. That is correct. Any time you open up a</p> <p>13 message, you have to click on the actual message for it</p> <p>14 to play.</p> <p>15 Q. Why did you send these messages to</p> <p>16 Ms. Stone?</p> <p>17 A. They had participated in a march, it was</p> <p>18 after President Trump was elected, they went to DC, and</p> <p>19 the main sponsor for that march was Planned Parenthood.</p> <p>20 The entire time everything was -- or through that march</p> <p>21 was all pretty much to do with reproductive rights, and</p> <p>22 they went on our dime, as in union dues. They paid</p> <p>23 for -- we paid for their food, their travel, their</p> <p>24 lodging, and whatever incidentals that they did there.</p> <p>25 The union membership was not informed prior to them</p> | <p>1 going.</p> <p>2 They took about 20 women and marched at</p> <p>3 this march, which I felt that -- and along with a lot</p> <p>4 of others, felt that this was inappropriate, as in</p> <p>5 representing us as, you know, careered flight</p> <p>6 attendants, and she and these women went out and there</p> <p>7 was a campaign and you can look it up, they wore</p> <p>8 pink -- and they're called pussyhats -- and they also</p> <p>9 marched with a banner that represented that they were</p> <p>10 supporting or marching for Southwest Airlines Flight</p> <p>11 Attendants Local 556, and that march was supported and</p> <p>12 funded by, and I know my union also funds money to</p> <p>13 Planned Parenthood, for abortions.</p> <p>14 Q. Now, you've previously testified and</p> <p>15 admitted that the women's march was not exclusively</p> <p>16 about abortion, correct?</p> <p>17 A. That was the main subject.</p> <p>18 Q. And what is your basis for contending that</p> <p>19 the primary purpose of the women's march was to address</p> <p>20 reproductive rights?</p> <p>21 A. That is what Planned Parenthood was there</p> <p>22 for, and if you listened to the -- Cecile Richards who</p> <p>23 is -- who was the CEO or president of Planned</p> <p>24 Parenthood, that was the main focus on that march.</p> <p>25 Q. And what were you hoping to accomplish when</p> |

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| <p>1 you sent these messages to Ms. Stone?</p> <p>2 A. Honestly, I was hoping that she would 3 actually contact me so that we could finally talk in 4 regards to how they spend our money.</p> <p>5 Q. I'd like to direct your attention to 6 page 59, and they're a little hard to read because 7 there's images underneath them you can see in the lower 8 right-hand corner, and 596 on the Exhibit 3, so the 9 first two pages.</p> <p>10 A. Okay. Five -- so the first two pages.</p> <p>11 Okay.</p> <p>12 Q. Where on page 595 do you ask Ms. Stone to 13 engage with you in a discussion about reproductive 14 rights or the women's march?</p> <p>15 A. I don't specifically ask her.</p> <p>16 Q. What about on page 596 with the second 17 abortion video, where there do you invite her, ask her 18 to reach out and contact you?</p> <p>19 A. This all had to do with TWU and the local 20 union that we had. It was all about -- I didn't ask 21 her specifically, but it -- it was sponsored by our 22 union.</p> <p>23 Q. But your sworn testimony under oath today 24 is that in sending these two videos but not asking her 25 to contact you, you were trying to get her to contact</p> | <p>1 you?</p> <p>2 A. Yes, as our president of our union, yes.</p> <p>3 Q. What do you think motivated Ms. Stone to 4 report you to Southwest Airlines?</p> <p>5 MR. GILLIAM: Objection. Speculation. You 6 can answer.</p> <p>7 A. There have been issues within our union for 8 quite some time. We were never being turned in for 9 anything until Audrey Stone and her team came into 10 office. Social media was never a issue until they 11 became in office. There was supporters of the Stone 12 administration and there were objectors to the Stone 13 administration, and most of us that were vocal against 14 the Stone administration were turned in and either 15 suspended or we had people fired. It was to shut us 16 up. And it went on for quite some time.</p> <p>17 BY MR. CORRELL:</p> <p>18 Q. So is it your belief then that Ms. Stone 19 would not have reported you if you were not a union 20 objector?</p> <p>21 MR. GILLIAM: Objection. Calls for 22 speculation.</p> <p>23 A. Yes.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. What is your basis for that belief?</p> |
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| <p>1 A. If I would have not been an objector, she 2 would have been able to file charges against me and 3 then I would have had a trial, which I would have had 4 to have paid for, and then they would have put me in 5 bad standing. The only way that they could go after me 6 at this point was to get me fired.</p> <p>7 Q. So just so I understand then, Ms. Stone's 8 only option, because you were an objector, was to go to 9 the company as opposed to going through the union --</p> <p>10 MR. GILLIAM: Objection --</p> <p>11 BY MR. CORRELL:</p> <p>12 Q. -- if she wanted -- if she wanted to 13 pursue --</p> <p>14 MR. CORRELL: Let me finish, counsel, I 15 wasn't finished with my question.</p> <p>16 MR. GILLIAM: Sure, sure. I'm sorry. I 17 thought you were done.</p> <p>18 MR. CORRELL: Let -- I'll just rephrase it.</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. Based on your understanding as a flight 21 attendant, former member of TWU 556, if Ms. Stone felt 22 she was being intimidated by these images, because you 23 were an objector, did she have anywhere else she could 24 report it?</p> <p>25 MR. GILLIAM: Objection. Incomplete</p> | <p>1 hypothetical.</p> <p>2 A. If Ms. Stone were the president of our 3 union -- which she was -- and this was directly a union 4 per se business because this is what our union 5 represented at this march, this should have been 6 handled within the union. It has never been the 7 practice until Audrey Stone and her administration, had 8 it ever been the practice to turn union members in to 9 the company when it re -- when it related to union 10 business, and this was clearly union business when they 11 took these 20 women to this march and represented us as 12 flight attendants. It was our union president who I 13 sent this message to, and it refers to Local 556 and 14 TWU. This had nothing to do with her as an individual. 15 It had everything to do with how the union was 16 conducting our business and -- and using our money.</p> <p>17 BY MR. CORRELL:</p> <p>18 Q. So is it your position then that because 19 she was the president of the union, no matter what you 20 did, she shouldn't report you to Southwest Airlines?</p> <p>21 A. When they take office, they, under oath, 22 swear to hold up the constitution under TWU to never 23 harm a member. Now, I was an objector, but I also 24 paid, still, union dues, which they used to go to this 25 march, and we have always, until their administration,</p> |

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| <p>1 been able to voice our objections in any way, whether 2 it be through a union meeting, through emails, or 3 through -- now, because we have the ability to do it 4 through Facebook messaging, which the union had used -- 5 this was strictly regarding how they were spending our 6 money and what they were doing to represent us as a 7 whole. They did not represent every union person at 8 this march. And under the rules of our constitution I 9 believe it was -- is what it is, we have our -- we have 10 freedoms to speak because we actually pay them to 11 represent us.</p> <p>12 Q. So if you had sent her messages threatening 13 her harm would it have been appropriate for her to 14 report you to Southwest Airlines?</p> <p>15 MR. GILLIAM: Objection. Calls for 16 speculation.</p> <p>17 A. If anybody threatens anybody harm, if 18 that's how she felt, then she should have reported me 19 to the police.</p> <p>20 BY MR. CORRELL:</p> <p>21 Q. So the answer to my question is no, you do 22 not believe she should have reported you to Southwest 23 Airlines if you threatened her harm?</p> <p>24 MR. GILLIAM: Objection. Vague.</p> <p>25 A. No.</p> | <p>1 BY MR. CORRELL: 2 Q. Let me ask it again just to make the record 3 clear. 4 Had you sent Ms. Stone a message that said, 5 "I am going to harm you," is it your view, based on 6 what you have testified to today, that it would be 7 inappropriate for her to report you to Southwest 8 Airlines?</p> <p>9 MR. GILLIAM: Objection. Incomplete 10 hypothetical.</p> <p>11 A. She should report me if she is afraid of me 12 personally harming her, she should send it to the 13 police.</p> <p>14 MR. CORRELL: Move to strike as 15 non-responsive.</p> <p>16 BY MR. CORRELL: 17 Q. I am asking a very specific question. I 18 understand that you would have her report it to the 19 police. Would it be inappropriate for her to also 20 report it to Southwest Airlines?</p> <p>21 MR. GILLIAM: Objection, incomplete. 22 A. Yes, it would be inappropriate to send it 23 to Southwest Airlines.</p> <p>24 BY MR. CORRELL: 25 Q. Okay. Thank you.</p> |
| Page 47 | Page 48 |
| <p>1 A. This is union business.</p> <p>2 Q. If -- if you were to send a message to a 3 union officer who is African-American including the N 4 word, would it be inappropriate for that person to 5 report that to Southwest Airlines?</p> <p>6 MR. GILLIAM: Objection. Incomplete 7 hypothetical.</p> <p>8 A. It's union business, it would be handled 9 through the union.</p> <p>10 MR. CORRELL: Mr. Reporter, can you please 11 restate the question.</p> <p>12 BY MR. CORRELL:</p> <p>13 Q. Mrs. Carter, I need you to answer the 14 questions I'm asking.</p> <p>15 A. No, they should not take it to Southwest. 16 It's union business.</p> <p>17 Q. So no matter what happens between an 18 objector and a union officer, the union officer should 19 never report it to Southwest Airlines?</p> <p>20 MR. GILLIAM: Objection. Incomplete 21 hypothetical.</p> <p>22 MR. CORRELL: It's not a hypothetical, 23 Counsel.</p> <p>24 A. No, they should not take it to Southwest 25 Airlines. If it regards to union business there are</p> | <p>1 channels within our union that would take care of that.</p> <p>2 BY MR. CORRELL: 3 Q. What channel was available to Ms. Stone, 4 since she could not have a union trial?</p> <p>5 A. I'm sure she could call me in and I'm sure 6 we could have had a discussion with legal counsel. 7 That is the -- one of the biggest reasons that we have 8 an attorney. I'm sure there are other channels that 9 she could use. I know if I were the president, I 10 would have not turned somebody in.</p> <p>11 Q. What other channels were available to her?</p> <p>12 A. To bring me into the office and speak to me 13 instead of sending this to Southwest Airlines. There 14 are other channels, just like she had quoted about not 15 turning other flight attendants in and that would have 16 been -- oh, I forget what the -- the -- instead of -- 17 oh, I can't think of the name of it. But where you can 18 actually handle disputes, there is a mechanism there.</p> <p>19 Q. Now, you have no problem, yourself, 20 reporting other flight attendants to Southwest 21 Airlines, correct?</p> <p>22 A. I have only reported one flight attendant 23 to Southwest Airlines and that was due to a direct 24 threat with the word "execution."</p> <p>25 Q. Now, that direct threat was made by Brian</p> |

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| 1 Talbert, correct? | 1 Q. Which threat did you believe he was making? |
| 2 A. That is correct. | 2 For a physical harm or to get somebody terminated? |
| 3 Q. And he was talking about the objectors from | 3 MR. GILLIAM: Objection. Calls for |
| 4 the union, right? | 4 speculation. You can answer. |
| 5 A. Yes, he was. | 5 A. Knowing Brian Talbert, it would be to get |
| 6 Q. Did you call the police about that? | 6 somebody fired. |
| 7 A. I believe Greg Hofer did because he | 7 BY MR. CORRELL: |
| 8 actually used his name within that context. He made a | 8 Q. So why did you report that to Southwest |
| 9 direct threat to him. | 9 Airlines? |
| 10 Q. Do you know what the police did with that? | 10 A. Because he and others were putting out a |
| 11 A. That, I do not know. You would have to ask | 11 list and he had made a direct threat to harm us, as in |
| 12 Greg Hofer. | 12 flight attendants, with our careers. |
| 13 Q. Why didn't you contact the police? | 13 Q. Because you were objectors, correct? |
| 14 A. He didn't make a direct threat to me | 14 A. Yes. |
| 15 personally; otherwise I would have. | 15 Q. Wasn't that union business? |
| 16 Q. Then why did you report him to Southwest | 16 A. Yes. And nobody did anything about it in |
| 17 Airlines? | 17 the union. |
| 18 A. Because the execution was -- it was after | 18 Q. Did you report it to the union? |
| 19 9/11, and when you are wanting to execute somebody, | 19 A. I believe we all reported it to the union |
| 20 that either means you want to harm them physically or | 20 with a big letter. |
| 21 you want to get them fired. | 21 Q. Did you personally and individually make a |
| 22 Q. Which did you believe it was? | 22 complaint to the union about this posting on Facebook? |
| 23 A. Either way harms either somebody | 23 A. Yes, I did. |
| 24 financially within their career or it harms somebody | 24 Q. What came of it? |
| 25 physically. | 25 A. Nothing. |
| | |
| Page 51 | Page 52 |
| | |
| 1 Q. When did you make that complaint to the | 1 A. No, I do not. |
| 2 union? | 2 Q. Do you dispute that? |
| 3 A. That would have been the year that this | 3 A. I can't dispute something if I don't know. |
| 4 happened. I do not recall the actual year that it | 4 Q. Okay. As you sit here today, do you agree |
| 5 happened. I think it was 2015. | 5 that these messages in their manner -- not the fact |
| 6 Q. How long after -- please go ahead. | 6 that they're talking about being pro life -- but the |
| 7 A. I'm not sure on the exact date. | 7 way you communicated with Ms. Stone was inappropriate? |
| 8 Q. How long after reporting Mr. Talbert to the | 8 MR. GILLIAM: Objection. Vague. |
| 9 union did you wait before contacting Southwest | 9 A. No, I do not. |
| 10 Airlines? | 10 BY MR. CORRELL: |
| 11 A. That, I don't recall. | 11 Q. Okay. You testified at your own |
| 12 Q. Now, in looking at, again, Exhibit 3, | 12 arbitration hearing, correct? |
| 13 page 595 and 596, you previously admitted under oath | 13 A. Yes, I do -- I did. |
| 14 that you understand that the manner of your messages | 14 Q. You were -- and you recall that you were |
| 15 was unacceptable, correct? | 15 under oath at that hearing, correct? |
| 16 A. The manner in which my messages were | 16 A. Yes. |
| 17 unacceptable, can you clarify that? | 17 Q. And to the best of your ability you |
| 18 Q. Sure. You have previously admitted under | 18 testified truthfully at that hearing, correct? |
| 19 oath that sending videos of aborted fetuses and using | 19 A. Yes. |
| 20 the language that you used in these messages was | 20 Q. I am going to direct you to what will be |
| 21 unacceptable -- | 21 introduced as Exhibit Number 4. |
| 22 MR. GILLIAM: Objection, vague. | 22 (Deposition Ex. 4 marked) |
| 23 A. And where do you find that? | 23 BY MR. CORRELL: |
| 24 BY MR. CORRELL: | 24 Q. I will represent to you that this is an |
| 25 Q. I'm asking if you recall the testimony. | 25 excerpt of the -- |

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| | |
| <p>1 A. I don't have -- I don't have Exhibit 2 Number 4.</p> <p>3 Q. Sure. It should populate in just a moment. 4 A. Okay. I have it. I've got it. 5 Q. And I will represent to you that this is an 6 excerpt of volume 2 of the deposition -- of the 7 arbitration transcript --</p> <p>8 A. Okay.</p> <p>9 Q. -- taken on December 8th, 2017. It has 10 been excerpted to include only your testimony but all 11 of your testimony. I would like to direct you 12 specifically to page 359 using the page numbers in the 13 upper right-hand corner.</p> <p>14 A. Okay. Okay.</p> <p>15 Q. And if we look beginning at line 8 through 16 line 24, can you read that quietly to yourself and 17 please tell me when you have finished.</p> <p>18 A. Okay.</p> <p>19 Q. So in this testimony when your counsel was 20 questioning you, you were asked if you would send the 21 same messages again in the future and you say you would 22 not, correct?</p> <p>23 A. I would not use the Facebook Messenger. I 24 would walk these into her office.</p> <p>25 Q. So your sworn testimony today is when you</p> | <p>1 say, "I realize this is a mistake. I realize that I 2 need to do it in a different manner, and I'm sorry for 3 the manner that I did send it through and I take full 4 responsibility for it," you meant you would walk 5 pictures of abortions in to Ms. Stone?</p> <p>6 A. I would have gone into her office instead 7 and had a meeting with her at that point, because this 8 would have never happened as in getting me fired, they 9 used the social media policy in this to get me fired. 10 If this would have been at a union meeting, which they 11 get heated and things are said and things are produced 12 in union meetings, I would have never been fired.</p> <p>13 Q. So when you testified before the arbitrator 14 under oath, "I'm sorry for the manner that I did send 15 it through," what did you mean?</p> <p>16 A. I'm sorry for the manner that it was sent 17 through a Facebook Messenger.</p> <p>18 Q. So you were not apologizing for the tenor 19 of the messages?</p> <p>20 A. When she was at the march, she saw these 21 exact same type of pictures through the march because 22 they were on big screens, and there is no way, unless 23 she shielded her face through the entire march, would 24 she have not seen some of these exact, if not more in 25 detail.</p> |
| Page 55 | Page 56 |
| <p>1 So the only reason I believe she turned me 2 in and the way that she could get me fired was due to 3 that it fell under the social media policy. I could 4 have taken these pictures in to a union meeting, if I 5 was not an objector, and been able to do the exact same 6 thing and show her and not have been fired.</p> <p>7 MR. CORRELL: I object. I move to strike 8 as non-responsive.</p> <p>9 Mr. Hendrick, can you please read back my 10 last question?</p> <p>11 THE REPORTER: Question: "So you were not 12 apologizing for the tenor of the messages?"</p> <p>13 A. I apologized for -- if in any way that it 14 harmed her personally, yes. Am I sorry that I have a 15 very strong objection to them going to a Planned 16 Parenthood march? I'm not sorry for my belief system 17 in that we should not be represented in that manner. 18 Am I sorry that if it harmed her in any way? Yes.</p> <p>19 Q. So that's all you meant when you said in 20 front of the arbitrator under oath, "I'm sorry for the 21 manner that I did send it through"?</p> <p>22 A. I'm sorry if it harmed her in a manner of 23 the way I sent it to her, yes.</p> <p>24 Q. And by manner you just mean through 25 Facebook Messenger?</p> | <p>1 A. The only way that she could get me fired 2 was through the social media policy. If this were have 3 been -- if this had been at a union meeting, this would 4 have never come to me being fired.</p> <p>5 Q. Now, she didn't get you fired exclusively 6 under the workplace bullying -- or excuse me, under the 7 social media policy, did she?</p> <p>8 A. That was what I was called in for, yes.</p> <p>9 Q. I'd like to direct you back to Exhibit 1.</p> <p>10 A. Okay. They're not pulling up so you'll 11 have to give me a second.</p> <p>12 Q. Please take your time.</p> <p>13 A. I don't have 1. I have 4. That's all 14 that's showing up.</p> <p>15 Q. If you go back to the folder labeled Marked 16 Exhibits, it should prevent -- present you with all 17 four exhibits. You may have to refresh the folder by 18 clicking on the folder icon.</p> <p>19 A. Okay. That -- okay. That's what I did. 20 I'm still only seeing Number 4.</p> <p>21 Q. So on the left-hand side of the screen, you 22 should have a file tree.</p> <p>23 A. Mm-hmm.</p> <p>24 Q. On the right-hand side of the screen you 25 should have icons for PDFs and you're saying you only</p> |

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| | |
| 1 see Exhibit 4, you don't see the other three? | 1 Q. Both of those policies were addressed |
| 2 A. Yeah, no, there's -- there's only number 4. | 2 during your fact-finding, were they not? |
| 3 Q. Okay. Let's try refreshing the browser. | 3 A. During the fact-finding? Very small on the |
| 4 A. And that's what I did do. I've done that | 4 bullying/hazing. It was mainly social media. |
| 5 twice. | 5 Q. What is your basis for making that |
| 6 Q. Okay. | 6 statement? |
| 7 A. I just did it again. Let's see if it shows | 7 A. My -- well, I can't remember because I'd |
| 8 back up. Now I have nothing in that folder. | 8 have to read back into my -- into my fact-finding |
| 9 Q. Let's try this. On the left-hand file tree | 9 notes. |
| 10 do you see the folder labeled Deposition of Charlene | 10 Q. So as you sit here today, without |
| 11 Carter? | 11 refreshing your memory, you cannot recall? |
| 12 A. Yes. | 12 A. Correct. |
| 13 Q. Let's click on that. | 13 Q. Do you know if Ms. Stone reported you for |
| 14 A. Oh. There you go. Okay. So go to 1? | 14 bullying? |
| 15 Q. Yes, ma'am. | 15 A. I believe she did, yes. |
| 16 A. Okay. | 16 Q. So she didn't report you just for social |
| 17 Q. Now your termination references -- your | 17 media issues? |
| 18 termination letter references two additional policies, | 18 A. She reported me also as just being a flight |
| 19 correct, beyond the social media policy? | 19 attendant at Southwest Airlines. |
| 20 A. That is correct. | 20 Q. What do you mean by that? |
| 21 Q. It references both a workplace bullying and | 21 A. She never referenced that this was due to a |
| 22 hazing policy and Southwest's policy concerning | 22 planned union march and she never referenced that she |
| 23 harassment, sexual harassment, discrimination and | 23 was the president of the union. |
| 24 retaliation, right? | 24 Q. In one of your messages to Ms. Stone |
| 25 A. Mm-hmm, yes. | 25 associated with the abortion videos, you tell her, you |
| | |
| | Page 59 |
| 1 "can't wait to see you back on the line." What did you | 1 meetings, they were knitting their pink pussyhats for |
| 2 mean by that? | 2 that march. |
| 3 A. She is paid by all of us and the things | 3 Q. Did they state why they were going to the |
| 4 that they'd been doing a lot of us did not agree with, | 4 march? |
| 5 and we would be happy to see her back on -- on line as | 5 A. They stated they were going to -- no, I |
| 6 in not having to pay her through our union dues. | 6 don't believe they did in the minutes. It was Jessica |
| 7 Q. Do you understand how that could be | 7 Parker and all of them that led the women's committee, |
| 8 perceived as a threat? | 8 and Audrey was part of that. |
| 9 MR. GILLIAM: Objection, form. Calls for | 9 Q. At any point did -- |
| 10 speculation. | 10 A. They went on either a Thursday or a Friday, |
| 11 A. No. No, I do not. She -- I believe she | 11 and then the March was on Saturday. But the whole |
| 12 just needed to start flying again and us not paying her | 12 reason they were going to that meeting was to set up |
| 13 for the things that we didn't agree with them doing. | 13 for that march. |
| 14 If she wanted to go to a march such as this, pay for it | 14 Q. So your testimony is that but for the |
| 15 yourself. | 15 women's march they would not have attended the women's |
| 16 BY MR. CORRELL: | 16 committee meeting? |
| 17 Q. She was also in Washington for the women's | 17 A. The women's committee meeting was set up |
| 18 committee meeting of the TWU, correct? | 18 because of this march. |
| 19 A. That is correct. | 19 Q. What is your basis for that assertion? |
| 20 Q. When did that conclude? | 20 A. In the executive board minute meeting -- or |
| 21 A. I believe on Thursday. And I'm going to | 21 minutes prior to that march. |
| 22 make reference to this. There were minutes, meeting | 22 Q. So TWU International only set up a women's |
| 23 minutes before this that the executive board put forth | 23 committee meeting in Washington, D.C., because of this |
| 24 that they were going to this march. This march was | 24 meeting? |
| 25 already set up and planned, and during their executive | 25 A. The local, our local representatives within |

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| <p>1 the minutes -- the meeting minutes prior to this march, 2 they knew they were going to the march. It was the 3 whole reason to have this meeting at the same time so 4 that they could participate in this march.</p> <p>5 Q. Who set the meeting in Washington, D.C.?</p> <p>6 A. I don't know exactly who set the meeting 7 up, but I do know that the main representatives for 8 that at the time were Audrey Stone and Jessica Parker, 9 I do believe.</p> <p>10 Q. The meeting in Washington, D.C., of the 11 women's committee was hosted by TWU International for 12 women's committees across the country, correct?</p> <p>13 A. I believe so, yes. And their objective was 14 to go to the march.</p> <p>15 Q. Who? Who is "their"?</p> <p>16 A. I don't know who else was there in the --</p> <p>17 Q. Hold on, let me say it differently --</p> <p>18 A. But from what I have seen, it is our 19 leadership at Southwest Airlines Local 556.</p> <p>20 Q. When you say it is "their objective," who 21 are you referring to?</p> <p>22 A. Local 556 within their meeting minutes 23 prior to the march, they speak about how they're 24 getting ready for the women's committee meeting and the 25 march and that they will there -- be there to help set</p> | <p>1 up for the march.</p> <p>2 Q. Did anything in the minutes say that they 3 were going to march for abortion?</p> <p>4 A. No, not specifically.</p> <p>5 Q. Did anything in the minutes say why they 6 were going to march?</p> <p>7 A. It just said they were going to the march 8 and they were going to be there to help set up.</p> <p>9 Q. You also chose to send Ms. Stone an image 10 via Facebook Messenger of women wearing what we have 11 called in earlier proceedings vagina headdresses. Do 12 you recall that?</p> <p>13 A. Yes, I do.</p> <p>14 Q. Why did you send that image to her?</p> <p>15 A. Because through the march, they -- there 16 were many -- I don't know how many -- but many that 17 were depicted, even small children which I find very 18 disturbing, in homemade costumes that depicted a 19 vagina, and I was just thankful that they did not dress 20 representing us as flight attendants who I believe are 21 professional, you know, it's a career for us, but yet 22 they did don the pink pussyhats.</p> <p>23 Q. So I'm not following your answer there. 24 You sent her pictures of women wearing anatomically 25 correct vaginas on their heads because you were</p> |
| <p style="text-align: center;">Page 63</p> <p>1 thankful they didn't dress like vaginas?</p> <p>2 A. Yes. But that yet representing us with the 3 pink pussyhats was not what I would consider very 4 professional.</p> <p>5 Q. The pink pussyhats are designed to look 6 like cat ears, aren't they?</p> <p>7 A. No, they're not.</p> <p>8 Q. They're designed to look anatomically like 9 a vagina?</p> <p>10 A. That is correct.</p> <p>11 Q. What is your basis for that assertion?</p> <p>12 A. There was a whole campaign, and I -- I know 13 that I sent this information to my attorney, that the 14 women that were wearing those was to depict the 15 anatomical version of a pussy.</p> <p>16 Q. And your sworn testimony is you believe 17 that a pussyhat looks anatomically like a vagina?</p> <p>18 A. That is what they were worn for.</p> <p>19 Q. Is that what it looks like?</p> <p>20 A. That is what it depicts.</p> <p>21 Q. So in your opinion, the pink pussyhats look 22 anatomically like a vagina?</p> <p>23 A. As a hat, yes.</p> <p>24 Q. Was your objection to the hats also part of 25 what you claim were your religious beliefs?</p> | <p style="text-align: center;">Page 64</p> <p>1 A. I don't believe -- yes, I don't believe 2 that women should be -- if you are going to a women's 3 march and you are in support of women, I don't believe 4 that you should be representing us in such a manner 5 wearing pink pussyhats.</p> <p>6 Q. Where does that derive from your religious 7 beliefs?</p> <p>8 A. Where does that derive from my religious? 9 That's more of an integrity and professional opinion. 10 I don't believe that we should be representing 11 ourselves as a sexual -- I -- I don't even know how to 12 word that.</p> <p>13 Q. So is it part of your claim in this lawsuit 14 that the -- your objections to the pussyhats was you 15 were reaching out because you were furthering your 16 religious beliefs?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. What religious belief?</p> <p>19 A. You don't go around wearing pink pussyhats 20 on your head as -- as --</p> <p>21 Q. How does that square with your religious 22 belief system --</p> <p>23 A. I don't know how to absolutely answer that 24 religious belief. I know where you're going with this. 25 I have to word this in a way I -- I honestly don't</p> |

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| <p style="text-align: center;">Page 65</p> <p>1 know, to be quite honest with you. All I know is that 2 being a Christian, I would not wear a pink pussyhat 3 marching in a Planned Parenthood march.</p> <p>4 Q. But being a Christian you believe it is 5 acceptable to send pictures of vaginas to another 6 employee?</p> <p>7 A. When you go to a march and you wear a pink 8 pussyhat and you are surrounded by other people that 9 are marching in such costumes, yes, I would have 10 never -- I believe that that holds true to my Christian 11 values. I wouldn't be there marching with women --</p> <p>12 Q. My question was different, Ms. Carter. My 13 question was, but you believe it is within your 14 Christian beliefs to send a picture of anatomically 15 correct vaginas around the faces of women to another 16 individual?</p> <p>17 A. When she donned the pink pussyhat and 18 represented us as flight attendants at this march and 19 marched with other women, yes, at this point for me it 20 was a -- a direct -- it was a disgusting act as far as 21 I'm concerned, and my belief system, yeah, I -- I 22 wanted her to know that that's how I felt that it was a 23 very disgusting depiction of who I am as a member and 24 that she was out there donning the hats that they did 25 wear and marching with others.</p> | <p style="text-align: center;">Page 66</p> <p>1 Q. In your opinion, was it a disgusting act to 2 send her the anatomically correct vagina headdresses 3 around the faces of women?</p> <p>4 A. I believe it was a disgusting act that she 5 represented us at this march, her and 20 other women, 6 and she saw these types of women there and/or men or 7 other things, so it should not have been a surprise to 8 her as my union president and going to that march to 9 see that.</p> <p>10 MR. CORRELL: Mr. Hendrick, can you please 11 read back my last question?</p> <p>12 A. I'm just gonna say yes.</p> <p>13 BY MR. CORRELL:</p> <p>14 Q. Well, I would like to get that on the 15 record.</p> <p>16 A. Okay.</p> <p>17 THE REPORTER: Question: "In your opinion, 18 was it a disgusting act to send her the anatomically 19 correct vagina headdresses around the faces of women?"</p> <p>20 A. No.</p> <p>21 BY MR. CORRELL:</p> <p>22 Q. At your fact-finding hearing you were told 23 to keep the proceedings confidential, correct?</p> <p>24 A. At my fact-finding meeting, yes.</p> <p>25 Q. But you didn't, did you?</p> |
| <p style="text-align: center;">Page 67</p> <p>1 A. I didn't?</p> <p>2 Q. No, you did not. You did not keep your 3 fact-finding proceedings confidential, did you, at the 4 time that you were still going through the 5 fact-finding?</p> <p>6 A. I spoke to my representative and I spoke to 7 the people at the union, Beth Ross.</p> <p>8 Q. But you also contacted other people to tell 9 them that Audrey Stone was the one that reported you, 10 didn't you?</p> <p>11 A. That was prior to my fact-finding meeting.</p> <p>12 Q. Okay. Tell me about that.</p> <p>13 A. I had never been called in before and spoke 14 about it just like anybody -- any other flight 15 attendant would have.</p> <p>16 Q. And prior to going to your fact-finding, 17 you were told that it was Audrey Stone that had 18 reported you?</p> <p>19 A. When Meggan Jones left the very first 20 message and then when Ed Schneider said to me that it 21 had to do with something that I had sent another what 22 he called flight attendant, I had only sent it to one 23 person and that would have been my union president 24 Audrey Stone.</p> <p>25 Q. But you weren't certain until you went to</p> | <p style="text-align: center;">Page 68</p> <p>1 the fact-finding meeting, right?</p> <p>2 A. No, I was certain, because I'd only sent it 3 to one person and that was my union president Audrey 4 Stone.</p> <p>5 (Deposition Ex. 5 marked)</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. I am going to direct you to another 8 exhibit. This is going to be EE. I'm sorry. That's 9 my designation. I'll have to get you the new one. 10 It's going to be Exhibit 5. Takes just a moment here. 11 Let me know when you have that in front of you.</p> <p>12 A. Okay. I have it.</p> <p>13 Q. Okay. Do you recognize this document?</p> <p>14 A. Yes, I do.</p> <p>15 Q. What is this document?</p> <p>16 A. It is talking to Jeanna Jackson regarding 17 my being called in.</p> <p>18 Q. And this is dated March 30th, 2017, 19 correct?</p> <p>20 A. That is correct.</p> <p>21 Q. And that is after your fact-finding but 22 before your step 2 proceedings, right?</p> <p>23 A. That is correct.</p> <p>24 Q. Who is Jeanna Jackson?</p> <p>25 A. She is a very good friend of mine who has</p> |

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| <p>1 also been harmed by this administration, and she is a 2 flight attendant at Southwest Airlines.</p> <p>3 Q. And who is the Beth referenced in the 4 message here?</p> <p>5 A. Beth Ross was my union representative.</p> <p>6 Q. And so here on March 30th, 2017, you write, 7 "Beth got the info from Employee Relations and it was 8 Audrey that wrote me up. She also said they sent her 9 more info than she thinks they may not have wanted her 10 to see."</p> <p>11 Did I read that correctly?</p> <p>12 A. You did.</p> <p>13 Q. So is it your sworn testimony today that 14 you had confirmed prior to Beth giving you this 15 information that Audrey was the one who had reported 16 you?</p> <p>17 A. Yes, this just confirmed it because Beth 18 and I had been talking about who had turned me in, and 19 she had actually given me the info. This was after 20 the -- the whole thing started. I already knew this, 21 but Beth and I had talked about it and she finally 22 confirmed it when she got the information from employee 23 relations that Audrey had turned me in.</p> <p>24 Q. Why are you sharing this information with 25 Ms. Jackson?</p> | <p>1 A. Due to the fact that Jeanna and I are very 2 good friends and we're both flight attendants and we 3 had both been harmed by this administration, I was 4 sharing it confidentially with her.</p> <p>5 Q. But in so doing, you were violating the 6 instruction to keep the information from your 7 fact-finding confidential, correct?</p> <p>8 A. I had already shared this information prior 9 to my fact-finding meeting with Jeanna.</p> <p>10 Q. Who all did you --</p> <p>11 A. This was just another -- this was just 12 another confirmation that I sent to Jeanna.</p> <p>13 Q. Did you do that before or after your 14 fact-finding meeting?</p> <p>15 A. Well, Jeanna knew before my fact-finding 16 meeting.</p> <p>17 Q. Who all did you tell prior to your 18 fact-finding meeting that Audrey Stone had reported you 19 to the company?</p> <p>20 A. I shared it on ONE LUV.</p> <p>21 Q. What is ONE LUV?</p> <p>22 A. Which is a union page.</p> <p>23 Everybody knew that Audrey had turned me 24 in.</p> <p>25 Q. Why did you share it on that page?</p> |
| Page 71 | Page 72 |
| <p>1 A. That is a union page that we all share, 2 there's several of them on -- online, on Facebook. I'm 3 hooked to several -- or actually was hooked to many of 4 them. And I am not the only one that has ever shared 5 anything quite like this.</p> <p>6 Q. Why did you choose to share it?</p> <p>7 A. Because I wanted people to know that this 8 is who represents us, and that a union leader should 9 not harm a union member, and they had been doing this 10 over and over again.</p> <p>11 Q. Prior to posting that information to ONE 12 LUV, at any point did you stop and consider whether 13 doing so could expose Ms. Stone to retaliation?</p> <p>14 A. Ms. Stone had already been a part of 15 another Facebook group that she was actually the admin 16 to who allowed a ton of harm to come to other flight 17 attendants. This was way before my messaging.</p> <p>18 MR. CORRELL: Objection, move to strike as 19 non-responsive.</p> <p>20 Mr. Hendrick, will you read back my 21 question.</p> <p>22 THE REPORTER: Question: "Prior to posting 23 that information to ONE LUV, at any point did you stop 24 and consider whether doing so could expose Ms. Stone to 25 retaliation?"</p> | <p>1 A. No. Ms. Stone was protected because she 2 was our union president.</p> <p>3 MR. CORRELL: Move to strike as 4 non-responsive everything after the answer "no." 5 BY MR. CORRELL:</p> <p>6 Q. In this message below, it also says, "They 7 sent her more info than she thinks they may not 8 want" -- "may not wanted to have her see." 9 What is that referencing?</p> <p>10 A. It means that Beth didn't believe that they 11 really wanted them to see that information because 12 instead of -- due to the fact that Audrey tells them 13 exactly how they should punish me.</p> <p>14 Q. Audrey tells who?</p> <p>15 A. Audrey in her letter tells, I believe it is 16 Suzanne, her base manager, Sonya Lacore, which is our 17 VP of in flight, and whoever else is blind copied or 18 copied to that email, and it may be Mike Sims, and it 19 also may be my base manager Ed Schneider.</p> <p>20 She references in her letter how I should 21 be punished.</p> <p>22 Q. We'll come back to that after a break. 23 What specific info was she referencing? It 24 says here, "So she is going to share that with me 25 before my meeting." Did she subsequently share</p> |

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| <p>1 additional information with you that she told you was 2 accidentally disclosed to her?</p> <p>3 A. Yes, she said that she was going to share 4 that with me prior to my second step meeting.</p> <p>5 Q. Did she do so?</p> <p>6 A. She did not, unfortunately. She said she 7 was gonna take it -- instead of showing me -- she did 8 tell me that she was the one who turned me in and who 9 she turned me in to, and then she was going to have 10 another meeting with Mike Sims after the fact, and Mike 11 Sims, when he found out it was -- he even states it in 12 my second step meeting that the company should stay out 13 of union business.</p> <p>14 Q. In the next line she said -- you say, "She 15 doesn't want me to let on that I know in this meeting."</p> <p>16 Did I read that correctly?</p> <p>17 A. That is correct. Because she wanted to 18 have a meeting with Mike Sims on her own.</p> <p>19 Q. So what information did you conceal from 20 Mr. Sims on Ms. Ross's instruction?</p> <p>21 A. I didn't conceal anything because she 22 didn't give me anything.</p> <p>23 Q. So there was nothing for you to "not let on 24 what I know" about?</p> <p>25 A. Let on -- no, I --</p> | <p>1 Q. She -- so -- let me put it back up. I'm 2 sorry. That's a bad question.</p> <p>3 A. I --</p> <p>4 Q. So when she said she doesn't want -- when 5 you write here, "She doesn't want me to let on that I 6 know this in the meeting" --</p> <p>7 A. Yeah, the --</p> <p>8 Q. What is the "this" -- what is the "this" in 9 that sentence?</p> <p>10 A. "This" would be that -- okay. Let's see. 11 "She doesn't want me to let on that I know" that -- 12 that I know that she knows that it was Audrey Stone who 13 turned -- she wanted to make that reference to Mike 14 Sims. She wanted to have that meeting with Mike Sims. 15 But I already stated it within my meeting that it was 16 Audrey Stone, my union president, that turned me in.</p> <p>17 Q. In the message below, Ms. Jackson says, 18 "I'll call you when I get in my car." Did you guys 19 have a conversation about this message?</p> <p>20 A. You know what? I don't recall.</p> <p>21 Q. You understand that in your lawsuit you 22 assert that Ed Schneider terminated you, in part at 23 least, based on your religious beliefs, correct?</p> <p>24 A. That is correct.</p> <p>25 Q. What is your basis for that assertion?</p> |
| Page 75 | Page 76 |
| <p>1 A. I told him that I was a Christian in my 2 faith -- in my fact-finding meeting and that I am 3 against -- well, I was against the march and them 4 marching for Planned Parenthood due to my strong 5 beliefs against abortion.</p> <p>6 Q. Do you have any evidence that Mr. Schneider 7 would have reached a different outcome had you been -- 8 held the same views but they were not related to your 9 religious beliefs?</p> <p>10 A. That, I cannot speak for him.</p> <p>11 Q. I'm asking if you have any evidence of that 12 or anything you would point to for that fact.</p> <p>13 A. I believe that if -- I should have been 14 able to, given -- and not knowing this prior to this -- 15 that I could have some kind of accommodation because of 16 my Christian religion, but when I said that within that 17 meeting, maybe he should have referred me to -- I 18 believe now it's called the ACT committee. I had no 19 idea that that committee even existed.</p> <p>20 Q. Are you aware of Southwest ever giving a 21 religious accommodation to excuse prior conduct?</p> <p>22 MR. GILLIAM: Objection to the extent it 23 calls for a legal conclusion.</p> <p>24 A. I do not. I had never known -- I believe 25 that if you stated that you were a Christian, you know,</p> | <p>1 that was enough. I mean, I don't know what else that, 2 you know --</p> <p>3 BY MR. CORRELL:</p> <p>4 Q. Well --</p> <p>5 A. I never even knew that we had an ACT 6 committee that you could even reach out to.</p> <p>7 Q. What accommodation did you want?</p> <p>8 A. I didn't know I had to have an 9 accommodation.</p> <p>10 Q. Sitting here today, you've said that you -- 11 you didn't know about the ACT committee, you suggest 12 that Mr. Schneider should have referred you to the ACT 13 team. What is it that you would have asked them for?</p> <p>14 A. I believe that I should have been protected 15 as a Christian no matter what of my beliefs.</p> <p>16 Q. So your accommodation request would have 17 been to be able to send whatever messages you wanted if 18 they were related to your Christian beliefs?</p> <p>19 A. When my union president decided to take 20 20 women in support of Planned Parenthood, yeah, I 21 should have been able to speak my mind since my money 22 was being used to --</p> <p>23 Q. My question is different. What specific 24 exception from the social media policy did you want Southwest to give you?</p> |

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| <p>1 A. I should have been able to post my belief 2 systems without retaliation on my own personal page, 3 and that is one of the things that they got me for.</p> <p>4 Q. Well, let's stick with the private 5 messages. Let's stick with the private messages first. 6 The private messages --</p> <p>7 A. The private messages were to my union 8 president regarding a march that she took place at. So 9 yes, I do believe that that should have been protected 10 not only under my Christian value system, but also due 11 to the fact that she's my union president. Not Audrey 12 Stone, but being the union president. So yes, I --</p> <p>13 Q. Ms. Carter, I am asking you a very specific 14 question. You have contended in this lawsuit that you 15 wanted Southwest to make an exception to the social 16 media and workplace bullying policies to accommodate 17 your religious beliefs. Do you understand that?</p> <p>18 A. Yes, I do.</p> <p>19 Q. What exception did you want them to create 20 for you? What would the rule be if you had gone to 21 Southwest and they'd given you what you'd wanted?</p> <p>22 MR. GILLIAM: Objection. Calls for legal 23 conclusion.</p> <p>24 A. I don't know what kind of exception. I 25 don't even know of what an exception would be. But</p> | <p>1 they -- I clearly stated I was a Christian. I don't 2 believe that my union president should have gone to a 3 march that supported Planned Parenthood and who was the 4 main sponsor of that march. When she went to represent 5 us, she put herself and our union, our -- she 6 represented us at a march that supported abortion, so 7 in this context, yes, I believe that I should have had 8 a somewhat -- at least send me to the ACT team, talk to 9 me about it, why is it that I cannot express my 10 dislike, because that's always been the case with our 11 union leadership, but for some reason in my case it's 12 not. And yes, my Christian beliefs should have been 13 recognized within my union fact-finding meeting. I 14 brought it up several times in that meeting.</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. Ms. Carter, as you sit here today, is it 17 your sworn testimony that you cannot tell me what 18 accommodation you wanted to request from Southwest 19 Airlines?</p> <p>20 A. I don't know what the accommodations are. 21 I don't even know what the ACT team was until just 22 recently.</p> <p>23 Q. I'll give you an example --</p> <p>24 A. What I can't say is if I don't -- they 25 should have recognized my Christian beliefs within the</p> |
| Page 79 | Page 80 |
| <p>1 fact-finding meeting when I said I don't -- I -- I 2 don't believe in abortion and I don't believe that 3 our -- my union president should have taken our dues 4 and spent it on a march. This -- this had everything 5 to do with just that march.</p> <p>6 Q. Ms. Carter, what I'm asking you is what is 7 it you're saying Southwest Airlines should have done to 8 accommodate your religious beliefs as soon as you 9 raised them?</p> <p>10 MR. GILLIAM: Objection to the extent it 11 calls for a legal conclusion. You can answer.</p> <p>12 BY MR. CORRELL:</p> <p>13 Q. Are you testifying that they should have 14 just said never mind to this --</p> <p>15 A. They should not have fired me over my 16 Christian beliefs.</p> <p>17 Q. Okay.</p> <p>18 A. After I expressed them in the union meeting 19 and we could have sat down and at least had a 20 conversation regarding that.</p> <p>21 Q. So is there any limit to what you would be 22 allowed to say to express your Christian beliefs to 23 other employees of Southwest Airlines in your personal 24 view?</p> <p>25 MR. GILLIAM: Objection. Incomplete</p> | <p>1 hypothetical.</p> <p>2 A. They should have accommodated this.</p> <p>3 BY MR. CORRELL:</p> <p>4 Q. My question to you, Ms. Carter, is not 5 whether they should have accommodated this -- have 6 accommodated this. I'm trying to find the parameters 7 of the accommodation you claim you were denied. You 8 understand you are claiming in your lawsuit you were 9 denied an accommodation?</p> <p>10 A. Yes, I was denied an accommodation.</p> <p>11 Q. Do you understand that an accommodation is 12 an exception from a policy to allow for religious 13 beliefs?</p> <p>14 MR. GILLIAM: Objection. Asks for a legal 15 conclusion.</p> <p>16 A. I'm just gonna tell you right now I believe 17 that I should have had an accommodation on this 18 specific one, yes.</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. And what would that have looked like?</p> <p>21 A. I don't know how they write up the 22 accommodations. I don't know. I -- I never even knew 23 you had to have an accommodation. I believe my 24 accommodation falls under Title VII of the civil rights 25 that I have as a Christian or a believer, that due --</p> |

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| <p>1 and due to the fact that my union president spent money 2 to go to a march that supported abortion. If you're 3 going to go to a march regarding this type of behavior, 4 this reflected that behavior and I should have had my 5 accommodations met once I said I was a Christian, but 6 honestly, this should have also been through the union 7 representatives, they knew where I stood on this.</p> <p>8 Q. So your testimony is that you believe 9 Southwest should allow you to say whatever you want 10 however you want if it is in support of your Christian 11 beliefs?</p> <p>12 MR. GILLIAM: Objection. Incomplete 13 hypothetical.</p> <p>14 A. In this context --</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. Hang on. Hang on.</p> <p>17 A. In this context, yes.</p> <p>18 Q. Hang on, Ms. Carter. Your testimony --</p> <p>19 MR. CORRELL: Not a hypothetical, counsel.</p> <p>20 BY MR. CORRELL:</p> <p>21 Q. -- is that the accommodation you should 22 have been provided is the right to say whatever you 23 want however you want if it is in support of your 24 Christian beliefs?</p> <p>25 A. Again --</p> | <p>1 MR. GILLIAM: Objection. Calls for a legal 2 conclusion.</p> <p>3 A. Again, this was due to a march that my 4 union president went to, wore pink pussyhats, marched 5 with a bunch of women in support of, with being the 6 main sponsor Planned Parenthood. So in this particular 7 instance, yes, they should have given me, in this 8 particular instance, they should have given me an 9 accommodation.</p> <p>10 BY MR. CORRELL:</p> <p>11 Q. Okay. So all they needed to do --</p> <p>12 A. So should -- so should have the union. 13 This should have never gone to the -- the company. 14 This should have been handled within the union 15 parameters.</p> <p>16 Q. Let me ask this differently, then. 17 So I understand you're saying part of what 18 you requested was that you be excused for the messages 19 you previously sent to Ms. Stone.</p> <p>20 Do I have that correct?</p> <p>21 A. Correct.</p> <p>22 Q. Would you also have sought to be allowed to 23 send those employees to other employees again in the 24 future?</p> <p>25 A. I would have never sent those messages to</p> |
| <p style="text-align: center;">Page 83</p> <p>1 anybody. This was in reflection -- or this was due to 2 the actual march that -- and I only sent it to my union 3 president because she is the one that led this 4 particular march, as in led these flight attendants to 5 this women's committee meeting and to the march. I 6 never sent it to anyone else. She was the leader and 7 this is the reason it got sent to her. There was no 8 reason for me to send it to anyone else. And it was in 9 her capacity as the union president, not her 10 personally.</p> <p>11 MR. GILLIAM: Counsel, whenever it's 12 convenient for you, if you want to take a break, that's 13 fine. I think everybody's ready.</p> <p>14 MR. CORRELL: Yeah, give me just two more 15 minutes and I think we'll be good.</p> <p>16 MR. GILLIAM: Okay.</p> <p>17 MR. CORRELL: Yeah, let's go ahead and take 18 a break now.</p> <p>19 MR. GILLIAM: Okay. All right. About 20 what --</p> <p>21 VIDEOGRAPHER: Hold on. Hang on. We are 22 going off the record at 11:01 a.m.</p> <p>23 (Break from 11:01 a.m. until 11:14 a.m.)</p> <p>24 VIDEOGRAPHER: We are going back on the 25 record at 11:14 a.m.</p> | <p style="text-align: center;">Page 84</p> <p>1 BY MR. CORRELL:</p> <p>2 Q. Ms. Carter, before we took the break we had 3 started to talk about -- or we had gone into and talked 4 about religious accommodation issues. Before that, the 5 question I'd put to you was essentially what evidence 6 do you have that Mr. Schneider sought to discriminate 7 you on the basis of your religious beliefs and I 8 believe your answer was that he did not provide you 9 with a religious accommodation or direct you to the ACT 10 team. Do I have that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Is there any other evidence that you 13 possess that Mr. Schneider acted against you because he 14 was hostile to or discriminating against your religious 15 beliefs?</p> <p>16 A. No.</p> <p>17 Q. Do you have any evidence that Mr. Schneider 18 was hostile to you or acting against you because you 19 were a union objector?</p> <p>20 A. No.</p> <p>21 Q. Ms. Jones, Meggan Jones was the assistant 22 base manager at Denver, correct?</p> <p>23 A. Yes.</p> <p>24 Q. And she participated in the fact-finding, 25 right?</p> |

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| <p>1 A. Yes.</p> <p>2 Q. What evidence, if any, do you have that</p> <p>3 Ms. Jones sought to discriminate against you on the</p> <p>4 basis of your religious beliefs?</p> <p>5 A. None, except that I said I was a Christian.</p> <p>6 Q. And if I ask you the same question about</p> <p>7 Ms. Gutierrez, would your response be the same?</p> <p>8 A. Correct.</p> <p>9 Q. And if I ask you the same question about</p> <p>10 Ms. Emlet, would your response be the same?</p> <p>11 A. Yes, sir.</p> <p>12 Q. With respect to Ms. Jones, do you have any</p> <p>13 evidence that she sought to discriminate you based on</p> <p>14 your status as a union objector?</p> <p>15 A. No.</p> <p>16 Q. And would the same be true for</p> <p>17 Ms. Gutierrez?</p> <p>18 A. Yes.</p> <p>19 Q. And would the same be true for Ms. Emlet?</p> <p>20 A. Yes.</p> <p>21 Q. So after the fact-finding was complete,</p> <p>22 what happened next in your recollection, after the</p> <p>23 meeting ended?</p> <p>24 A. Nothing. I mean, I went home. I talked to</p> <p>25 Chris Sullivan, my rep, and went home.</p> | <p>1 Q. So Ms. Ross who we spoke about earlier, was</p> <p>2 she your rep at step 2 then?</p> <p>3 A. She was the actual person who did my case</p> <p>4 through the union.</p> <p>5 Q. What do you mean by that?</p> <p>6 A. She was the one who did the grievance. She</p> <p>7 was the grievance person.</p> <p>8 Q. So she did not attend either hearing with</p> <p>9 you?</p> <p>10 A. She attended the second step meeting.</p> <p>11 Q. So Chris Sullivan was the only union</p> <p>12 representative who attended the first step meeting with</p> <p>13 you?</p> <p>14 A. That's correct.</p> <p>15 Q. Between the time the fact-finding ended and</p> <p>16 when you received Exhibit 1, the termination letter,</p> <p>17 did you have any more interaction with the company</p> <p>18 individuals who appeared at the fact-finding meeting?</p> <p>19 A. No, I don't believe so.</p> <p>20 Q. After you received the termination letter,</p> <p>21 you grieved that decision, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And that triggered a step 2 hearing, right?</p> <p>24 A. Correct.</p> <p>25 Q. What can you tell me about the step 2</p> |
| Page 87 | Page 88 |
| <p>1 hearing in your recollection?</p> <p>2 A. I was able to present my case to Mike Sims.</p> <p>3 Q. And you've previously testified that you</p> <p>4 believed that that proceeding was fair and complete,</p> <p>5 correct?</p> <p>6 A. Yes.</p> <p>7 Q. Is that still your testimony?</p> <p>8 A. Yes.</p> <p>9 Q. Do you contend that Mr. Sims discriminated</p> <p>10 against you on the basis of your religious beliefs at</p> <p>11 the step 2 level?</p> <p>12 A. No.</p> <p>13 Q. Do you contend that anyone else</p> <p>14 discriminated against you on the basis of your</p> <p>15 religious beliefs at the step 2 level?</p> <p>16 MR. GILLIAM: Objection. Calls for a legal</p> <p>17 conclusion. You can answer.</p> <p>18 A. Honestly I don't know. I don't know. I</p> <p>19 mean, I don't know what's in people's minds.</p> <p>20 BY MR. CORRELL:</p> <p>21 Q. Well, and that's perfectly fine. What I'm</p> <p>22 trying to make sure I get is any evidence that you</p> <p>23 possess that you believe shows that someone at step 2</p> <p>24 had what we would call a discriminatory animus so a</p> <p>25 bias against you because of your Christian beliefs, and</p> | <p>1 so I'm just making sure there's no other names in there</p> <p>2 that we need to cover.</p> <p>3 A. No.</p> <p>4 Q. Do you have any evidence or -- that</p> <p>5 Mr. Sims discriminated against you at your step 2</p> <p>6 because you were a union objector?</p> <p>7 A. No.</p> <p>8 Q. And to your knowledge, do you have any</p> <p>9 evidence of anyone else who was discriminating against</p> <p>10 you from the company at your step 2 on the basis that</p> <p>11 you were a union objector?</p> <p>12 A. No.</p> <p>13 Q. So at the step 2 you were directly</p> <p>14 instructed again that all information that you were</p> <p>15 provided through the hearing process you need to keep</p> <p>16 confidential, correct?</p> <p>17 A. Yes.</p> <p>18 Q. Did you continue discussing your case with</p> <p>19 Ms. Jackson?</p> <p>20 A. I believe I did, yes. She had --</p> <p>21 Q. Did you continue to discuss -- oh. Please</p> <p>22 go ahead.</p> <p>23 A. Yes.</p> <p>24 Q. Did you continue discussing your case with</p> <p>25 any other flight attendant?</p> |

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| <p>1 A. There may have been one or two, yes.</p> <p>2 Q. Who?</p> <p>3 A. Dawn Wann.</p> <p>4 Q. Is that D-A-W-N?</p> <p>5 A. Mm-hmm. She also used to be a person who</p> <p>6 sat on the board.</p> <p>7 Q. Who else besides Ms. Wann?</p> <p>8 A. Jana Deloache. And she also used to be a</p> <p>9 representative on the board.</p> <p>10 Q. So why were you communicating with Ms. Wann</p> <p>11 about your proceedings?</p> <p>12 A. Due to the fact that she used to sit on the</p> <p>13 board, I looked for I guess some help.</p> <p>14 Q. Was she still sitting on the board or</p> <p>15 working in any union capacity when you were</p> <p>16 communicating with her at this time?</p> <p>17 A. I believe she was doing fact-finding</p> <p>18 meetings at that time. I think. I don't -- I don't</p> <p>19 know that for a fact.</p> <p>20 Q. Did you ask the company's permission to</p> <p>21 share information with Ms. Wann?</p> <p>22 A. No.</p> <p>23 Q. Did you tell your -- Ms. Ross that you were</p> <p>24 going to communicate with Ms. Wann?</p> <p>25 A. I believe she knew I was talking to her,</p> | <p>1 yes.</p> <p>2 Q. How did she know that --</p> <p>3 A. Because I told her I had reached out to a</p> <p>4 couple other people.</p> <p>5 Q. What was Ms. Ross's response when you told</p> <p>6 her that information, if anything?</p> <p>7 A. She just told me not to share specifics,</p> <p>8 but I didn't share the specifics, I just shared the --</p> <p>9 what had happened. You know, that I had gone to my</p> <p>my fact-finding meeting -- or my second step meeting.</p> <p>10 Q. And you said Ms. Deloache, is that correct?</p> <p>11 A. Deloache.</p> <p>12 Q. Deloache. Ms. Deloache was also a former</p> <p>13 board member?</p> <p>14 A. That is correct.</p> <p>15 Q. Did she hold any union offices at the time</p> <p>16 you were communicating with her about this?</p> <p>17 A. I -- I think she was doing fact-finding</p> <p>18 meetings, and I'm not sure if she was on the team for</p> <p>19 safety.</p> <p>20 Q. I'm sorry. Going back to Ms. Wann, what</p> <p>21 advice, if any, did Ms. Wann give you in response to</p> <p>22 your communications?</p> <p>23 A. It was just basically how the -- how the</p> <p>24 union works with their grievances and so forth, because</p> |
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| <p>1 I had never filed a grievance before so I was unclear</p> <p>2 of how things happened.</p> <p>3 Q. Other than providing you with that</p> <p>4 information, did Ms. Wann do anything else that you are</p> <p>5 aware of in response to your communications with her at</p> <p>6 this time?</p> <p>7 A. No.</p> <p>8 Q. What did Ms. Deloache provide you, if</p> <p>9 anything?</p> <p>10 A. The same type of thing.</p> <p>11 Q. Anything she provided that Ms. Wann did</p> <p>12 not?</p> <p>13 A. No.</p> <p>14 Q. Other than Ms. Wann and Ms. Deloache, were</p> <p>15 you communicating with anyone -- and Ms. Jackson, were</p> <p>16 you communicating with anyone else about your step 2</p> <p>17 proceedings at this time?</p> <p>18 A. I don't believe so.</p> <p>19 Q. Now, the result of your step 2 hearing was</p> <p>20 an offer of reinstatement subject to a last chance</p> <p>21 agreement, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And you did not accept that last chance</p> <p>24 agreement, correct?</p> <p>25 A. Correct.</p> | <p>1 (Deposition Ex. 6 marked)</p> <p>2 BY MR. CORRELL:</p> <p>3 Q. I am going to show you what will be marked</p> <p>4 as Exhibit 6 to your deposition. Just a moment here.</p> <p>5 You should have that in just a moment here and it</p> <p>6 should populate, like I said, as Exhibit 6. Let me</p> <p>7 know when you have that. I know it may take a minute.</p> <p>8 A. Okay. I have it.</p> <p>9 Q. Do you recognize this document?</p> <p>10 A. Yes.</p> <p>11 Q. What is this document?</p> <p>12 A. This is the settlement statement that they</p> <p>13 offered me.</p> <p>14 Q. Why did you decline this offer of</p> <p>reinstatement?</p> <p>15 A. Several reasons. One, first big -- the</p> <p>16 biggest reason is that I have known flight attendants</p> <p>17 that have accepted this, and as soon as they accepted</p> <p>18 it, somebody had turned them in for something that they</p> <p>19 had done in the past and then they got fired again.</p> <p>20 Another reason I did not accept this was</p> <p>21 due to the fact that they wanted to put a letter in my</p> <p>22 file for 24 months, which exceeded the contract. It</p> <p>23 was only supposed to be in there at the -- at the very</p> <p>24 most for 18 months, so which that meant if, you know, I</p> |

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| <p>1 sneezed wrong on the airplane within 24 months of 2 basically being on probation again, I would be fired. 3 I would have no recourse if somebody, you know, decided 4 to turn me in for past social media, and I know people 5 were looking for that, and I would get fired 6 immediately after signing this.</p> <p>7 Another thing is, is that this was union 8 business and the company actually got involved in union 9 business, which never happened in the past, and I 10 believe that this should have been just handled within 11 the union, and I would have been signing all my rights 12 away. And on top of that, I had already been speaking 13 regarding this. Again, if I would have signed this, 14 somebody could have dredged something up from the past 15 and had me fired over speaking about it in the past and 16 that has happened to other flight attendants. So I 17 knew in signing this, it would be pretty much my death 18 sentence at Southwest.</p> <p>19 Q. The first point you raised, who do you know 20 who accepted the last chance agreement and was 21 subsequently terminated for conduct that predated the 22 last chance agreement?</p> <p>23 A. Holly Immamovic.</p> <p>24 Q. Now your testimony is that the behavior 25 that got her fired occurred before she accepted the</p> | <p>1 last chance agreement? 2 MR. GILLIAM: Objection to the form. 3 A. That I don't know for a fact. I just know 4 something was dredged up and they immediately turned 5 her in again.</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. Would it surprise you if she was terminated 8 for a social media violation that occurred after she 9 signed the social media agreement -- excuse me -- the 10 last chance agreement?</p> <p>11 A. You know what? I can't speculate on that. 12 Q. If that were the case, would it change your 13 assessment of how Ms. Immamovic's or -momavic's outcome 14 informed your approach to this letter?</p> <p>15 MR. GILLIAM: Objection. Incomplete 16 hypothetical. You can answer.</p> <p>17 A. No, because I -- I knew what was going on 18 due to people turning each other in which --</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. I -- sorry. Go ahead.</p> <p>21 A. That was a big huge factor for me not to 22 sign this. I knew that --</p> <p>23 Q. Other than Ms. Immamovic, what person do 24 you know who signed a last chance agreement but was 25 subsequently terminated for a social media violation?</p> |
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| <p>1 A. At that time she was the only person that I 2 did know.</p> <p>3 Q. Since then who have you discovered?</p> <p>4 A. I have -- I don't know because I don't -- I 5 have no idea. I don't know who has been fired and who 6 hasn't been fired.</p> <p>7 Q. Well, in your complaint and in your 8 discovery responses, you allege that Casey Rittner was 9 terminated for a social media violation, correct?</p> <p>10 A. Casey Rittner, yes, and that was -- which 11 is -- yes.</p> <p>12 Q. So was Ms. Rittner reinstated?</p> <p>13 A. It's Mr. Rittner, but yes, he was 14 reinstated.</p> <p>15 Q. Was Mr. Rittner subsequently terminated 16 after that reinstatement?</p> <p>17 A. That, I don't know.</p> <p>18 Q. The 24-month issue that you raised as your 19 second point, what was your concern there?</p> <p>20 A. Well, it exceeded our contract and I'm 21 not -- I'm not sure why we weren't staying within the 22 realms of the contract, and mine seemed to be extreme 23 due to the fact that it was 24 months and not the 24 18 months.</p> <p>25 Q. Do you know if other people also received a</p> | <p>1 24-month period of -- 2 A. No, I believe I was the first and only at 3 that time.</p> <p>4 Q. What's your basis for making that 5 assertion?</p> <p>6 A. Talking to Beth Ross, my union 7 representative, she had not seen a 24-month.</p> <p>8 Q. So your testimony is that Beth Ross told 9 you she had not seen other LCAs with a 24-month period?</p> <p>10 A. That's what we had discussed, yes, that it 11 was excessive.</p> <p>12 Q. At any point did you contact anyone at 13 Southwest Airlines to address the 24-month issue?</p> <p>14 A. I was told not to and that was by Becky 15 Parker.</p> <p>16 Q. Who is Becky --</p> <p>17 A. She said this was -- she was also a -- she 18 was the grievance chair and she told me that was the 19 best I was gonna get.</p> <p>20 Q. When did she tell you that?</p> <p>21 A. Right after the -- this was sent to me, the 22 last chance agreement.</p> <p>23 Q. What is your basis for claiming that you 24 would still be exposed to termination for social media 25 posts that predate this letter?</p> |

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| <p>1 MR. GILLIAM: I would just instruct 2 Ms. Carter that you shouldn't reveal any 3 attorney-client communications to the extent that your 4 answer might involve any attorney-client communication.</p> <p>5 THE WITNESS: Okay.</p> <p>6 A. I just knew that there were others out 7 there trying to harm.</p> <p>8 BY MR. CORRELL:</p> <p>9 Q. But I guess what I'm asking is: What on 10 this letter says to you that Southwest can now go 11 terminate you for conduct that predates this letter, if 12 anything?</p> <p>13 A. The reason that I would come to that 14 conclusion is because people were being harmed, not -- 15 not just from signing the last chance agreement, but 16 people were being harmed for things that they had said 17 two or three or four years prior to this and being 18 called in. So I already knew, due to the social media 19 violations that were becoming increasingly horrible, 20 that I was not going to sign on the dotted line on this 21 one.</p> <p>22 Q. So did you reach out to Southwest to say, 23 hey, can I get in trouble for prior south -- for prior 24 social media posts and be terminated based on this 25 letter?</p> | <p>1 A. I was told by Becky Parker that I was to 2 contact her and my grievance team on this issue. I did 3 not contact anyone at Southwest Airlines management.</p> <p>4 Q. Did you contact your union and ask them to 5 get clarification from Southwest Airlines as to whether 6 or not prior conduct would result in termination under 7 the last chance agreement?</p> <p>8 A. We talked about it, but like I said, Becky 9 Parker told me that this would be the best I was going 10 to get.</p> <p>11 Q. Did Ms. Parker tell you yes, they could go 12 find old posts and fire you for it after the last 13 chance agreement was signed?</p> <p>14 A. Beth knew and both Becky had known that, 15 yes, other people had been fired for things that were 16 posted back in, you know, further -- I mean, from -- 17 from that day back, anybody could be turned in.</p> <p>18 Q. Well, and I guess I'm asking a different 19 question here. Is -- are you saying that what they 20 told you is that if you signed this letter and somebody 21 reported three-year-old social media violations, you 22 would be subject to immediate termination under the 23 letter, is that what they told you?</p> <p>24 A. If they found anything else that I had 25 posted, that I could be fired again, yes.</p> |
| Page 99 | Page 100 |
| <p>1 Q. Did they name any names when they were 2 talking to you about other cases?</p> <p>3 A. No.</p> <p>4 Q. Did they provide you with any details?</p> <p>5 A. No, because they're not supposed to.</p> <p>6 Q. I mean, if you had it to do over again, 7 would you have accepted this letter?</p> <p>8 A. No, because I believe I would have been 9 fired.</p> <p>10 Q. So was the only issue that you were 11 concerned with then -- setting aside the 24 months, if 12 this letter had said you won't be punished for anything 13 you've previously posted to social media, that would 14 have been sufficient for you to sign it except for the 15 24-month issue?</p> <p>16 A. Yes, I would have signed it.</p> <p>17 Q. Did you tell that to Becky Parker and Beth 18 Ross?</p> <p>19 A. I spoke to Becky Parker on all the issues 20 regarding this last chance agreement and she 21 specifically told me, this is the best you are going to 22 get, Charlene. That's all I can refer you to.</p> <p>23 Q. And you testified at the arbitration that 24 you would not engage in the same behavior again if you 25 had been reinstated, correct?</p> | <p>1 A. That is correct.</p> <p>2 Q. So with the 24-month issue, is it your view 3 that it's just a violation of the collective bargaining 4 agreement or is it your view that it's just too long? 5 I'm just trying to understand what you are coming at 6 with that point.</p> <p>7 A. Well, it's both. It's the -- it's the fact 8 that for some reason that mine exceeded, which we have 9 a contract with Southwest Airlines, exceeded the 10 contract and I'm not sure exactly why. The 18 months I 11 still think is a little harsh, but it is in our 12 contract and I'm not sure why mine -- they didn't 13 decide that it would stay within the realms of the 14 contract.</p> <p>15 Q. And you described this I think a moment ago 16 as a death sentence.</p> <p>17 A. Yes.</p> <p>18 Q. What was your understanding of how 19 discipline would proceed if you were disciplined for 20 something other than a similar issue, so other than a 21 social media violation, other than a bullying 22 violation, and other than a sexual harassment 23 violation?</p> <p>24 A. Okay. Can you say that again?</p> <p>25 Q. Sure. Let me ask that a little more</p> |

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| <p>1 clearly.</p> <p>2 You understand that there are three</p> <p>3 policies referenced in this letter, and I think we</p> <p>4 can -- I can point to them.</p> <p>5 A. The third policy, though, was a possible</p> <p>6 and --</p> <p>7 Q. Understood. And I'm just talking about the</p> <p>8 letter here. So in the letter it says your -- "Any</p> <p>9 future violation of the Southwest Airlines Workplace</p> <p>10 Bullying and Hazing Policy, Social Media Policy, or</p> <p>11 Harassment, Sexual Harassment, Discrimination and</p> <p>12 Retaliation Policy will result in termination."</p> <p>13 That is the -- the seventh bullet down.</p> <p>14 Did I read that correctly?</p> <p>15 A. That is correct.</p> <p>16 Q. So was it your understanding that -- you</p> <p>17 were talking about sneezing on the airplane. Was it</p> <p>18 your understanding you would also be subject to</p> <p>19 immediate termination if you broke some other work</p> <p>20 rule?</p> <p>21 A. Yes.</p> <p>22 Q. How did you arrive at that conclusion?</p> <p>23 MR. GILLIAM: I would just say again if you</p> <p>24 received any information from an attorney on this, not</p> <p>25 to answer -- or not to respond with your</p> | <p>1 attorney-client privileged information.</p> <p>2 THE WITNESS: Okay.</p> <p>3 A. Only because I knew it had happened in --</p> <p>4 in our system.</p> <p>5 BY MR. CORRELL:</p> <p>6 Q. Can you give me an example?</p> <p>7 A. I -- you know what? I -- I can't right at</p> <p>8 the moment.</p> <p>9 Q. Would it surprise --</p> <p>10 A. The only -- the only one that I know of is</p> <p>11 Holly Immamovic.</p> <p>12 Q. The --</p> <p>13 A. At that time -- at that time. And I can't</p> <p>14 discuss the rest of that.</p> <p>15 Q. Why are you unable to discuss the rest of</p> <p>16 that?</p> <p>17 MR. GILLIAM: If it's privileged</p> <p>18 information then --</p> <p>19 A. Yeah.</p> <p>20 MR. CORRELL: Well, her communications with</p> <p>21 Holly Immamovic are not going to be privileged.</p> <p>22 MR. GILLIAM: Correct, right.</p> <p>23 BY MR. CORRELL:</p> <p>24 Q. So is there some other reason you are not</p> <p>25 testifying as to the other details you are aware of</p> |
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| <p>1 with respect to Holly Immamovic?</p> <p>2 A. No. I just know that others were looking</p> <p>3 for reasons to have other people terminated. It -- it</p> <p>4 had become a hostile work environment and everybody was</p> <p>5 on pins and needles at this point, and I was afraid to</p> <p>6 sign this particular document and be subject to, let's</p> <p>7 say, flying with another flight attendant who knew</p> <p>8 about this and turned me in for something. I had never</p> <p>9 been in trouble at my job before ever until this.</p> <p>10 Q. I'm trying to understand, Ms. Carter, is</p> <p>11 there anything on the face of this letter that led you</p> <p>12 to believe that violations of other policies besides</p> <p>13 the three listed in bullet 7 would result in immediate</p> <p>14 termination on the face of this letter?</p> <p>15 A. No, not on the face of this letter.</p> <p>16 Q. Did Ms. Parker or Ms. Ross tell you that</p> <p>17 any policy violation, no matter what it was, not the</p> <p>18 three that are itemized here, but any of them, would</p> <p>19 result in immediate termination?</p> <p>20 A. Not in those words, no. They just said to</p> <p>21 watch your back.</p> <p>22 Q. What do you mean by that?</p> <p>23 MR. GILLIAM: Objection. Calls for</p> <p>24 speculation. You can answer.</p> <p>25 A. Yeah, it -- it just means that if there was</p> | <p>1 another violation, that more than likely I would be</p> <p>2 fired and I would have no recourse.</p> <p>3 BY MR. CORRELL:</p> <p>4 Q. Another violation of what?</p> <p>5 A. Of really anything that fell under a policy</p> <p>6 that Southwest Airlines has, and they --</p> <p>7 Q. Would that --</p> <p>8 A. And they would be watching me.</p> <p>9 Q. What did Ms. Parker and Ms. Ross</p> <p>10 specifically say that led you to believe that this</p> <p>11 letter reached beyond the three listed policies?</p> <p>12 A. This letter did not as in specific being</p> <p>13 written. So no, it did not.</p> <p>14 Q. I understand that, but I believe your</p> <p>15 testimony just now was that when Ms. Ross and</p> <p>16 Ms. Parker said "watch your back," you interpreted that</p> <p>17 as them telling you that this extended to all policies</p> <p>18 not just the three enumerated policies. Did I</p> <p>19 understand that testimony correctly?</p> <p>20 A. That is correct.</p> <p>21 Q. Did they say anything other than the phrase</p> <p>22 "watch your back" that led you to reach that</p> <p>23 conclusion?</p> <p>24 A. No, that would be -- that would be pretty</p> <p>25 telling to me. Watch my back.</p> |

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| <p>1 Q. Did you ask directly whether other policies 2 would trigger immediate termination under this last 3 chance agreement to anyone other than counsel?</p> <p>4 A. You mean as in Becky Parker and them?</p> <p>5 Q. That includes them or anybody else.</p> <p>6 A. No, I -- I had asked Beth about this. If I 7 sign this letter, you know, is this going to be 8 something that, you know, within the next 24 months 9 they could pretty much fire me, you know, because 10 they're going to be watching me and she said yes.</p> <p>11 Now, it may not state it in that letter. 12 And that my -- the 24 months she believed was 13 excessive. She wasn't sure why they -- they put the 14 24 months on to my letter.</p> <p>15 Q. I want to direct you next to what I believe 16 will be Exhibit 7 to your deposition. Let me know when 17 you are able to access that document.</p> <p>18 A. Okay.</p> <p>19 Q. Do you recognize this document? 20 (Deposition Ex. 7 marked)</p> <p>21 A. Yes, I do.</p> <p>22 BY MR. CORRELL:</p> <p>23 Q. And is this a text message from you to a 24 Lynn McGomery?</p> <p>25 A. That is correct.</p> | <p>1 Q. Who is Lynn McGomery?</p> <p>2 A. She happens to be a friend of mine. And 3 she's a flight attendant at Southwest.</p> <p>4 Q. Now, previously I asked you questions about 5 who you communicated with about your fact-finding and 6 step 2 proceedings. Had you communicated with 7 Ms. Montgomery prior to sending this text message -- 8 text message regarding these topics?</p> <p>9 A. Regarding that the --</p> <p>10 Q. Fact-finding and step 2.</p> <p>11 A. The women's march, yes. Yes. She's a 12 friend of mine.</p> <p>13 Q. Had you communicated with Ms. Montgomery 14 about your fact-finding?</p> <p>15 A. She knew of my fact-finding, yes, because 16 of, you know, ONE LUV.</p> <p>17 Q. Did you communicate directly with 18 Ms. Montgomery about your fact-finding?</p> <p>19 A. You know what, I don't recall. I don't 20 recall talking to her directly about it. I know that I 21 shared some information about the women's march and 22 that our union, you know, was representing us there.</p> <p>23 Q. And Ms. Carter, I understand your testimony 24 that the union went to the women's march and your 25 objection to that. My question is about your</p> |
| <p style="text-align: center;">Page 107</p> <p>1 engagement with Ms. Montgomery about specific events. 2 So the next one is did you confer with 3 Ms. Montgomery at all about your step 2?</p> <p>4 A. I don't recall.</p> <p>5 Q. Why did -- when you say here, "Just sent 6 you an email with my reinstatement letter... enjoy," 7 and an emoji, what is the reinstatement letter you are 8 referencing?</p> <p>9 A. That would be my second step -- that would 10 be the -- the last chance agreement.</p> <p>11 Q. And this -- this text message is dated 12 April 19th, 2017, correct?</p> <p>13 A. That's correct.</p> <p>14 Q. And I believe the last chance letter is 15 also dated April 17, 2017; is that correct?</p> <p>16 A. April -- hold on.</p> <p>17 MR. GILLIAM: Objection. Misstates prior 18 testimony.</p> <p>19 MR. CORRELL: I'm talking about an exhibit, 20 Counsel.</p> <p>21 MR. GILLIAM: I know. Misstates the 22 exhibit.</p> <p>23 A. Yeah, that's April 17 -- yes.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. So did you receive this letter on</p> | <p style="text-align: center;">Page 108</p> <p>1 April 17th, 2017?</p> <p>2 A. It's dated then. I don't know if I 3 actually got it on that day.</p> <p>4 Q. Is it possible you got it sooner than 5 April 17th, 2017?</p> <p>6 A. No, I wouldn't have gotten it sooner.</p> <p>7 Q. And you sent a text message telling someone 8 you sent it to them on April 19th, 2017, right?</p> <p>9 A. Yeah, that's several days after that.</p> <p>10 Q. Two days, correct?</p> <p>11 A. I'm sorry?</p> <p>12 Q. You said several. It's two days after 13 April 17th.</p> <p>14 A. Okay. Two days.</p> <p>15 Q. Well, why did you send your letter to 16 Ms. Montgomery?</p> <p>17 A. Ms. Montgomery used to be our grievance 18 chair and I wanted her to take a look at it.</p> <p>19 Q. What advice, if any, did Ms. Montgomery 20 give you about the letter?</p> <p>21 A. She thought it was excessive, she'd never 22 seen anything quite like it.</p> <p>23 Q. What did she say was excessive?</p> <p>24 A. The fact that it exceeded our contract, for 25 one, and that, you know, she -- that we didn't -- we</p> |

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| <p>1 didn't used to have these agreements back in the day. 2 This only -- this only came about under Audrey's 3 administration.</p> <p>4 Q. So your testimony is that last chance 5 agreements didn't exist before Audrey Stone was 6 president of 556?</p> <p>7 A. As far as I knew, they did not. Now, I may 8 be wrong on that. I don't know exactly when these 9 started to -- and then on top of that too, we always 10 had a step process in disciplining and I was not re -- 11 I was not given that opportunity to correct what they 12 had said was, you know, my violations. Normally you 13 would get either like a 30-day suspension, you -- you 14 wouldn't just be fired. We -- we didn't use to fire 15 flight attendants the way we do now.</p> <p>16 Q. Didn't the last chance agreement offer you 17 a 30-day suspension and to let you continue working as 18 long as you didn't engage in any behavior again?</p> <p>19 A. Yes. That was after already being off for 20 30 days.</p> <p>21 Q. Well, and we can go back to Exhibit 6, but 22 the suspension was already retroactively completed on 23 the date that you received it, was it not?</p> <p>24 A. That is correct.</p> <p>25 Q. So when Ms. Montgomery responded to you</p> | <p>1 about the last chance agreement, what form did that 2 response take? Was it a call? A letter? More text 3 messages?</p> <p>4 A. No, it wasn't a call. I think it was just 5 the text message.</p> <p>6 Q. Do you have those text messages?</p> <p>7 A. No, I've given everything over to my 8 attorneys. I think that this was, she just read it and 9 that was it.</p> <p>10 Q. Well, you just testified that she gave you 11 input on the --</p> <p>12 A. Oh, I'm sorry. Yes, yes, yes. I'm sorry. 13 I -- I didn't hear your question.</p> <p>14 Yeah. We discussed this on the phone after 15 the fact, and she told me, she said, she goes, 16 "Charlene, I've never seen anything quite like this."</p> <p>17 Q. When did you discuss it with her?</p> <p>18 A. It probably was a couple of days after. 19 And again, she used to be our grievance chair. So I 20 knew that, you know, she -- she had dealt with things 21 like this before.</p> <p>22 Q. Other than Ms. Montgomery, who else did you 23 send copies of this last chance agreement to?</p> <p>24 A. I don't believe anybody else.</p> <p>25 Q. If we go back to Exhibit 6.</p> |
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| <p>1 A. Okay. Okay.</p> <p>2 Q. Then just let me know when you are there.</p> <p>3 A. I'm there.</p> <p>4 Q. You see at the top in bold all caps, 5 "Privileged & Confidential Reinstatement Settlement and 6 Last Chance Agreement"?</p> <p>7 A. Yes.</p> <p>8 Q. Did you ask anyone before you sent this 9 letter to someone other than Ms. Ross?</p> <p>10 A. I know that I had talked to them regarding 11 this, and I was going to send it also to the -- the 12 attorney.</p> <p>13 Q. And I don't need to know anything about 14 your communications with counsel. But did you get any 15 permission to send this confidential document to 16 Ms. Montgomery before you sent it?</p> <p>17 A. I had spoken with Beth and I was gonna -- I 18 told her that I was probably gonna send this to let -- 19 let Lynn read it since she used to be our grievance 20 chair.</p> <p>21 Q. And what was Ms. Ross's reaction to you 22 saying you were going to send this confidential 23 document to someone else?</p> <p>24 A. Due to the fact that she used to be our 25 grievance chair, she used to handle these things, so</p> | <p>1 she thought that that might be, you know, helpful for 2 me to really understand it, even though Beth -- you 3 know, she -- because she -- basically I was getting a 4 second opinion on this. I was afraid to sign anything.</p> <p>5 Q. Did you send this to Jeanna Jackson?</p> <p>6 A. I don't -- I don't think I did, no. I 7 think I may have discussed it with her.</p> <p>8 Q. What did you tell her about it?</p> <p>9 A. Just the -- just the -- just the fact that 10 the 24 months, and I didn't think I was gonna sign it.</p> <p>11 Q. Did you ask permission from anyone before 12 you discussed it with Jeanna Jackson?</p> <p>13 A. No, but once again, Jeanna also was a -- 14 oh, she did a fact-finding meeting so she was very 15 knowledgeable about these things as well.</p> <p>16 Q. I'd like to direct to you the second page 17 of the last chance agreement, to the second full 18 paragraph. Let me know when you are there. It begins 19 with, "The terms your reinstatement."</p> <p>20 A. Yes.</p> <p>21 Q. "The terms of your reinstatement are made 22 on a non-precedent and non-referral basis and are to be 23 kept confidential."</p> <p>24 Did I read that correctly?</p> <p>25 A. Yes, you did.</p> |

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| <p>1 Q. You violated that before you even signed 2 it, didn't you? 3 A. I guess I did. 4 Q. So I want to take you next to the process 5 that commenced after your separation when you filed 6 documents with the Equal Employment Opportunity 7 Commission. And I'll direct you to a new exhibit, if 8 you will give me one moment. And that should come up 9 in just a second for you, Ms. Carter.</p> <p>10 A. Okay. 11 (Deposition Ex. 8 marked)</p> <p>12 BY MR. CORRELL:</p> <p>13 Q. Do you recognize this document? 14 A. I do. 15 Q. What is this document? 16 A. That is the charge to the EEOC. 17 Q. And you filed this on March 14 -- excuse me, that's the date. 18 Sorry. You filed this on September 7, 19 2017, correct? 20 A. Mm-hmm. 21 Q. Have you had a chance to read this just now 22 just to reacquaint yourself with it? And if you need a 23 few moments, please take your time. 24 A. Yeah, hold on a second. I was going to say</p> | <p>1 it's hard to read since it's so tiny. Here we go. 2 Okay. 3 Q. So you understand that you signed this 4 document under penalty of perjury, correct? 5 A. Excuse me? 6 Q. That you signed this -- at the bottom of 7 this document, do you see where it says, "I declare 8 under penalty of perjury that the foregoing is true and 9 correct," and it's your signature? 10 A. Yes. 11 Q. Going to paragraph 3 of your charge, it 12 reads, "My employer (Southwest Airlines), and the union 13 which represents me (Transport Workers Union of America 14 Local 556), both support abortion." 15 Did I read that correctly? 16 A. Yes, you did. 17 Q. What evidence do you have that Southwest 18 Airlines supports abortion? 19 A. When the -- 20 MR. GILLIAM: Objection. Calls for a legal 21 conclusion but you can answer. 22 A. When -- 23 MR. CORRELL: I just want to get a 24 clarification for the record. How does asking her what 25 evidence she has that Southwest supports abortion calls</p> |
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| <p>1 for a legal conclusion? 2 MR. GILLIAM: What constitutes evidence in 3 support of abortion. 4 BY MR. CORRELL: 5 Q. What information do you possess, 6 Ms. Carter, that leads you to believe that Southwest 7 Airlines supports abortion? 8 A. When the union representatives, the 9 20 women that went, they took a banner that said 10 "Southwest Airlines Flight Attendants Under Local 556," 11 and so Southwest Airlines had their name and banner per 12 se along with our local marching in that march. 13 Q. So Southwest Airlines' actual logo was on 14 the banner? 15 A. I believe so, yes. 16 Q. After lunch we'll get a copy of that 17 picture. 18 Other than that particular piece of 19 information, is there any other piece of information 20 you possess that believe shows -- that you believe 21 shows Southwest Airlines supports abortion? 22 A. Not -- you know, that's -- it's kind of -- 23 they allowed the lights to be turned pink going into 24 that march on the airplanes. 25 Q. When you say they allowed it, what do you</p> | <p>1 mean? 2 A. Many of the flights that have the mood 3 lighting on it, the flight attendants were able to turn 4 those lights to pink in support of the women's march 5 going into DC that day and coming back from the 6 marches -- or from that march. 7 Q. How many flights? 8 A. Oh, I don't know. There were many. I 9 just -- I don't know exactly how many. 10 Q. What's your basis for asserting there were 11 many? 12 A. Because it was put all over the media and 13 also on Local 556 page and TWU International's page and 14 the AFL-CIO page and on Planned Parenthood's page. 15 Q. How does that tell you how many airplanes 16 that occurred on? 17 A. Oh, it doesn't tell me the number. It's 18 just the different people speaking of different flights 19 in and out of -- let's say they were coming out of 20 Chicago or they were coming out of Vegas or they were 21 coming out of Orlando or going into those places. So 22 there were -- there were many flights that the cabin 23 lights were turned pink. 24 Q. You attended Mike Sims' deposition as the 25 corporate representative of Southwest Airlines,</p> |

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| | |
| 1 correct? | 1 attendants to discontinue this behavior as soon as they |
| 2 A. Yes, I did. | 2 learned of it? |
| 3 Q. And you were there when he testified that | 3 A. No, because I wasn't flying at that time so |
| 4 the lights were turned pink on approximately three to | 4 I didn't see it on that day. |
| 5 four aircraft, correct? | 5 Q. Other than the fact that flight attendants |
| 6 A. I don't recall that. I don't recall the | 6 turned the lights pink, do you have any other evidence |
| 7 number. It's hard to believe that it was only three or | 7 that Southwest played any role in the decision to turn |
| 8 four, but if that's what he says, I guess that's what | 8 the lights pink? |
| 9 he says. | 9 A. That I don't know. |
| 10 Q. And other than what you've already | 10 Q. Let's take you next to paragraph 6 of your |
| 11 testified to, do you have any information that | 11 charge. It reads, "Southwest never warned me that |
| 12 controverts Mr. Sims's testimony that there were three | 12 using Facebook to protect life was inconsistent with |
| 13 to four flights? | 13 its work rules." |
| 14 A. Not -- not as in the number, but I do know | 14 Did I read that correctly? |
| 15 that there were flights that -- that they had turned | 15 A. That is correct. |
| 16 the lights pink. I don't know the number. | 16 Q. You were familiar with Southwest Airlines' |
| 17 Q. What is a read-before-fly memo? | 17 social media policy, correct? |
| 18 A. I'm sorry? | 18 A. Yes. |
| 19 Q. What is a read-before-fly memo? | 19 Q. In fact, you had quoted it when you |
| 20 A. It is a link that you click on to see | 20 reported Brian Talbert to the company, hadn't you? |
| 21 what's going on within the company and different things | 21 A. In regards to an execution or harming |
| 22 that we're doing as flight attendants and so forth. | 22 somebody? Yes. |
| 23 It's just like a little informational thing. | 23 Q. So you were aware that Facebook posts |
| 24 Q. And are you aware that Southwest Airlines | 24 generally could be inconsistent with the work rules? |
| 25 issued a read-before-fly memo instructing flight | 25 A. Protecting babies, no, I did not. |
| | |
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| 1 Q. So no matter what you say in a Facebook | 1 Is that correct? |
| 2 post, if it is pro life, it is not a -- you thought it | 2 A. That is correct. |
| 3 was not a violation of Southwest policy? | 3 Q. Now you were also confronted with the |
| 4 MR. GILLIAM: Objection. Calls for a legal | 4 balance of Exhibit 1, which consists of another 80 |
| 5 conclusion. | 5 pages of messages sent to Ms. Stone over three years |
| 6 A. No. | 6 during your fact-finding, correct? |
| 7 BY MR. CORRELL: | 7 A. That is correct. |
| 8 Q. So what could you say in a Facebook post | 8 Q. All of those messages don't concern |
| 9 that was pro life that would violate Southwest's policy | 9 abortion, do they? |
| 10 in your opinion as a flight attendant bound by a policy | 10 A. No, but they all do -- do concern |
| 11 that you were familiar with? | 11 everything that union and what they were representing |
| 12 A. I don't think any -- | 12 or doing within the union so it was to my local |
| 13 MR. GILLIAM: Objection. Objection, | 13 president. |
| 14 incomplete hypothetical. You can answer. | 14 Q. And in paragraph 9, you claim that |
| 15 BY MR. CORRELL: | 15 Southwest "engaged in quid pro quo religious |
| 16 Q. So -- and just to be clear: You don't | 16 harassment." |
| 17 think anything you said could be construed as a | 17 When you signed this under oath, what did |
| 18 violation of the social media policy if it was in | 18 you understand that to mean? |
| 19 connection with a pro life message? | 19 MR. GILLIAM: Objection. Calls for a legal |
| 20 A. No, I don't. | 20 conclusion. You can answer. |
| 21 Q. Now, in paragraph 8 of your charge you say, | 21 BY MR. CORRELL: |
| 22 "As a result of my Facebook posts and messages that | 22 Q. And -- and Ms. Carter, I'm not asking for |
| 23 opposed abortion. And without prior warning that such | 23 your legal opinion. I'm asking what you were swearing |
| 24 activity violated its work rules, my employer fired me | 24 to under penalty of perjury. |
| 25 on March 14, 2017." | 25 MR. GILLIAM: Same objection. |

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| <p>1 A. I believe they did discriminate towards me.</p> <p>2 BY MR. CORRELL:</p> <p>3 Q. But there's a phrase there that says "quid</p> <p>4 pro quo religious harassment." That's what you are</p> <p>5 accusing Southwest of, and you're saying you swear it's</p> <p>6 true that Southwest engaged in quid pro quo religious</p> <p>7 harassment. What did you as a witness mean when you</p> <p>8 swore to that statement?</p> <p>9 MR. GILLIAM: Objection, calls for legal</p> <p>10 conclusion.</p> <p>11 MR. CORRELL: Counsel, how does it call for</p> <p>12 a legal conclusion to ask a witness to explain their</p> <p>13 own affidavit?</p> <p>14 MR. GILLIAM: Well, it's asking what she</p> <p>15 understands quid pro quo religious harassment to mean.</p> <p>16 MR. CORRELL: If I accuse you of a legal</p> <p>17 violation and I swear that it happened, I should be</p> <p>18 able to explain what I think was the violation.</p> <p>19 BY MR. CORRELL:</p> <p>20 Q. What is -- what the words mean in my own</p> <p>21 statement.</p> <p>22 MR. GILLIAM: Is there a question pending?</p> <p>23 MR. CORRELL: Fine.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. Ms. Carter, just let me know what you</p> | <p>1 understand as a witness who was swearing under penalty</p> <p>2 of perjury your own words, "quid pro quo religious</p> <p>3 harassment," meant?</p> <p>4 MR. GILLIAM: And to the extent it calls</p> <p>5 for a legal conclusion, same objection.</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. Okay. Were these your words, Ms. Carter?</p> <p>8 A. Yes, these were my -- these were -- these</p> <p>9 were written within my -- the context of my -- my</p> <p>10 words, yes, but --</p> <p>11 Q. Did you adopt these words --</p> <p>12 A. But my -- my --</p> <p>13 Q. I need to ask some questions here to lay a</p> <p>14 foundation.</p> <p>15 Did you adopt these words here as your own</p> <p>16 when you were swearing to them under penalty of</p> <p>17 perjury?</p> <p>18 A. I'm not -- I'm not understanding. I</p> <p>19 believe that Southwest Airlines violated me when I was</p> <p>20 in my fact-finding meeting when I said I was a</p> <p>21 Christian and that I put those things on my Facebook</p> <p>22 page and referred them back to a women's march that my</p> <p>23 union president took and spent my money for, and --</p> <p>24 Q. And --</p> <p>25 A. -- they -- they supported that and fired me</p> |
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| <p>1 because of my direct dislike and expressing my</p> <p>2 opinions, they violated my Christian rights, yes, I do</p> <p>3 believe they did.</p> <p>4 Q. Having noted counsel's objection, what is</p> <p>5 your understanding of the phrase "quid pro quo</p> <p>6 religious harassment"?</p> <p>7 A. You're going to have to -- you're going to</p> <p>8 have to re -- you're going to have to resay -- you're</p> <p>9 going to have to re --</p> <p>10 Q. Sure. In paragraph 9 where you say, and I</p> <p>11 am paraphrasing here, please correct me if there's some</p> <p>12 confusion created by it, as a result of the foregoing,</p> <p>13 my employer engaged in quid pro quo religious</p> <p>14 harassment. I have omitted the discussion of</p> <p>15 discrimination because that's separate here. My</p> <p>16 employer engaged in quid pro quo religious harassment.</p> <p>17 What did you mean by that?</p> <p>18 A. For me, it's they have been -- they've</p> <p>19 represented -- they -- they -- the company has actually</p> <p>20 promoted other -- how should I say this -- activities,</p> <p>21 and never once -- how do I put this? They protect</p> <p>22 everybody else, such as gay, lesbian, Black Lives</p> <p>23 Matter, gay pride week, but they don't protect me under</p> <p>24 my civil rights as being a Christian.</p> <p>25 Q. So that's what you meant when you said, "My</p> | <p>1 employer engaged in quid pro quo religious harassment"?</p> <p>2 A. I believe that is correct.</p> <p>3 MR. GILLIAM: Objection. Again, calls for</p> <p>4 a legal conclusion. I also think asked and answered.</p> <p>5 A. Yes.</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. Where in this document do you complain that</p> <p>8 Southwest did not offer you a religious accommodation?</p> <p>9 A. They did not offer me a religious --</p> <p>10 anything religious accommodation after -- within my</p> <p>11 fact-finding meeting. I think that they should have</p> <p>12 reached out to me but they did not.</p> <p>13 MR. CORRELL: Move to strike as</p> <p>14 non-responsive.</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. Ms. Carter, this document was what you</p> <p>17 reported to the EEOC as violations of Southwest</p> <p>18 Airlines. Where in this document did you tell the EEOC</p> <p>19 that you were denied religious accommodation?</p> <p>20 MR. GILLIAM: Objection, the letter speaks</p> <p>21 for itself.</p> <p>22 A. Exactly. The letter speaks for itself.</p> <p>23 The whole letter speaks for itself.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. Yeah, but you are my deponent. As you're</p> |

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| <p>1 sitting here today, can you identify anything in this 2 letter where it says I was denied religious 3 accommodation?</p> <p>4 MR. GILLIAM: And objection. Same 5 objection. The letter speaks for itself but you can 6 answer.</p> <p>7 A. They fired me for my speech on my -- my 8 personal Facebook page in protecting babies and with my 9 union going to a women's march and for me to say that I 10 didn't agree with it and protecting babies.</p> <p>11 BY MR. CORRELL:</p> <p>12 Q. Anything else on this document that you 13 believe indicates that you reported to the EEOC that 14 you were denied a religious accommodation?</p> <p>15 MR. GILLIAM: And objection, the letter 16 speaks for itself. You can answer.</p> <p>17 A. I was never ever given a religious 18 accommodation. They should have known that after I 19 said it in my fact-finding meeting. And again, this 20 letter speaks of all of that.</p> <p>21 MR. CORRELL: One more issue and then we 22 can stop for the lunch break.</p> <p>23 BY MR. CORRELL:</p> <p>24 Q. Do you believe Sonya Lacore discriminated 25 against you on the basis of your religious beliefs?</p> | <p>1 A. I can't speak for her. I know that she 2 agreed on my firing.</p> <p>3 Q. Other than -- and when you say she agreed 4 to your firing or on your firing, what do you mean by 5 that?</p> <p>6 A. She signed off on it.</p> <p>7 Q. How do you know?</p> <p>8 A. Through the paperwork that was sent to me, 9 and she is our VP of in-flight. It would have to go 10 through her ultimately.</p> <p>11 Q. Other than her approving of your 12 termination, are you aware of anything else that leads 13 you to believe that Ms. Lacore discriminated against 14 you on the basis of your religious beliefs?</p> <p>15 A. No.</p> <p>16 Q. Are you aware of anything indicating that 17 Ms. Lacore discriminated against you on the basis of 18 your status as a union objector?</p> <p>19 A. No, not of my knowledge.</p> <p>20 Q. Who is Dave Kissman?</p> <p>21 A. I believe he is another -- I think he is 22 the western side, and so we're split up in different 23 categories and since I'm in Colorado, I think he is our 24 main liaison that we go through under -- I think it's 25 the labor department but I'm not sure.</p> |
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| <p>1 Q. Do you believe Mr. Kissman discriminated 2 against you on the basis of your religious beliefs?</p> <p>3 MR. GILLIAM: Objection, calls for legal 4 conclusion. You can answer.</p> <p>5 A. I never had any dealings with Mr. Kissman. 6 I have no idea.</p> <p>7 BY MR. CORRELL:</p> <p>8 Q. Well, and separate from a legal conclusion, 9 can you identify anything that led you to believe that 10 Mr. Kissman was acting to discriminate against you?</p> <p>11 A. No, except that they should have known 12 after my fact-finding meeting. Everyone of these 13 people should have known that I was a Christian because 14 this all was sent to them.</p> <p>15 Q. What role did Mr. Kissman play in your 16 fact-finding?</p> <p>17 A. I don't know to be quite honest with you 18 because I never had contact with him.</p> <p>19 Q. Did you have contact with him in connection 20 with your step 2?</p> <p>21 A. No, I did not.</p> <p>22 Q. Did you have contact with him in connection 23 with your last chance agreement?</p> <p>24 A. No, I did not.</p> <p>25 Q. Do you have any reason to believe</p> | <p>1 Mr. Kissman discriminated against you on the basis of 2 your status as a union objector?</p> <p>3 A. Again, I cannot answer that. I do not know 4 what's in his head.</p> <p>5 Q. Well, and that's -- I know you can't. I'm 6 just making sure that you're not going to show up at 7 trial and tell me, here's what Dave Kissman said one 8 time. So I'm just making sure that there's nothing 9 else you want to report while you're under oath here 10 today that would lead you to believe that he 11 discriminated against you because you are an objector?</p> <p>12 A. No.</p> <p>13 MR. CORRELL: Okay. I think that's a good 14 point to take a lunch break if that works for everybody 15 else?</p> <p>16 MR. GILLIAM: Sure. How much time?</p> <p>17 MR. CORRELL: Can we go off the record 18 first?</p> <p>19 VIDEOGRAPHER: Yes, sir. We are going off 20 the record at 12:12 p.m.</p> <p>21 (Break from 12:12 p.m. until 1:01 p.m.)</p> <p>22 VIDEOGRAPHER: We are going back on the 23 record at 1:01 p.m.</p> <p>24 BY MR. CORRELL:</p> <p>25 Q. Ms. Carter, do you understand that you are</p> |

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| 1 seeking damages from Southwest as part of your claim 2 this lawsuit? | 1 Q. When you say "on the back end," what do you 2 mean? 3 A. Just handling the day-to-day stuff with the 4 education part, making sure that everything was set for 5 the teachers. 6 Q. Would you have been working less for 7 Project Purpose? 8 A. I would imagine so, yes, if I was still 9 working at Southwest, yes. |
| 3 A. Yes. 4 Q. All right. Have you made an effort to 5 calculate what you believe you are owed by Southwest 6 Airlines? 7 A. No. 8 Q. Do you believe you are owed back pay by 9 Southwest Airlines? 10 A. Yes. 11 Q. How much do you believe they owe you? 12 A. I'm not sure how they base it all, but I 13 would imagine it's based on what I was flying at the 14 time. 15 Q. And if I were to tell you from looking at 16 prior documents that it looks like you were earning 17 about \$15,000 per year as a flight attendant, is that 18 consistent with your recollection? 19 A. The last, the last couple years, yes. 20 Q. Had you remained employed with Southwest 21 Airlines, do you believe you would have continued to be 22 involved with Project Purpose? 23 A. On the back end, yes. 24 Q. What do you mean? 25 A. I believe I would have -- yes. | 10 Q. And what about Divine Intervention, do you 11 believe you would have worked with Divine Intervention 12 if you'd remained employed at Southwest Airlines? 13 A. Divine Intervention, I would not have gone 14 as far as working with them if I would have remained at 15 Southwest, it would have taken away much more of my 16 time. 17 Q. At the time you were terminated from 18 Southwest Airlines, did you have a plan to increase the 19 amount you were flying? 20 A. Yes, I did. 21 Q. What was your plan? 22 A. To fly a full line. 23 Q. What does that mean? 24 A. It means that when I got my schedule from 25 80 to, let's say, 100, it just depends on what the |
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| 1 trips are here in Denver, I would fly my line. 2 Q. When did you form the plan to begin flying 3 a full line? 4 A. When my -- the reason for me not flying a 5 full line in the past three years before I was let go 6 was due to my husband having a drinking problem and 7 leaving my daughter at home by herself at that time; 8 she was too young. So, she is now 17, has her driver's 9 license, and I also have other means for her to stay 10 with someone as I fly, or if I was able to fly. 11 Q. And when did your daughter become old 12 enough, in your opinion, to begin left being home by 13 herself as you described? 14 A. Well, at the time, I was actually seeking 15 somebody to -- I don't have family near me here, so I 16 was actually seeking somebody at the time that I was 17 fired, and prior to that, to help with some type of day 18 care or per se, and within my home schooling family 19 had found somebody at that point. 20 Q. And was there a cost associated with that 21 day care? 22 A. Yeah, there would have been. Not -- not a 23 whole lot, but enough for -- I mean, it would still be 24 good for me to fly, let's put it that way. 25 Q. How much was the day care going to cost? | 1 A. I would say for each visit, maybe \$300, and 2 that would be for a three-day -- three-day trip, so a 3 hundred dollars a day. 4 Q. So was this care designed to take care of 5 your daughter overnight? 6 A. Yes. 7 Q. So it was a hundred dollars a day including 8 overnight care? 9 A. Yeah. 10 Q. And how many days per week were you 11 expecting to be gone while you were flying a full line? 12 A. When I used to fly a full line, it was 13 usually three to four days a week. 14 Q. And I know this will be sensitive testimony 15 and we will go ahead and designate this portion of the 16 transcript confidential. 17 You mentioned your husband had a drinking 18 problem at the time. When did that begin? 19 A. Well, he had been sober for about six 20 years, and it began pretty much when we moved here to 21 Denver. It started over again. 22 Q. When was that? 23 A. So that would have been 2012. And, you 24 know, on and off it became a huge problem again. 25 Q. Is that a problem that has been resolved at |

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| <p>1 this stage, or is it still an ongoing issue in your 2 marriage?</p> <p>3 A. It's not as bad as it was, but it is still 4 an ongoing issue. The thing is is that now my daughter 5 is 17, going on 18, she'll be going off to college 6 within the next year, and so it would not be an issue 7 at all once she goes off to college.</p> <p>8 Q. But during this period you were 9 uncomfortable leaving her in your husband's care?</p> <p>10 A. Yes, I was, very uncomfortable.</p> <p>11 Q. Are you still married to your husband who 12 you are referencing here?</p> <p>13 A. We are currently living together but we are 14 separated.</p> <p>15 Q. Understood. And again, just -- and I'm not 16 trying to pry too deeply into this, I just want to have 17 some context on the decisions you were making about 18 returning to the line.</p> <p>19 A. Yes.</p> <p>20 Q. When did y'all first get married?</p> <p>21 A. 1998.</p> <p>22 Q. And have you been married continuously to 23 the present?</p> <p>24 A. Yes.</p> <p>25 Q. And what is your husband's name?</p> | <p>1 A. His name is Jhara, and it's spelled 2 J-H-A-R-A, last name is Carter.</p> <p>3 MR. CORRELL: And I think we can stop the 4 confidential designation there because I don't intend 5 to ask any more questions on that topic.</p> <p>6 BY MR. CORRELL:</p> <p>7 Q. How much more were you expecting to earn if 8 you began flying a full line as opposed to what you had 9 been doing in the years prior to your termination?</p> <p>10 A. I can't even speculate on that due to the 11 fact that, you know, there's VJA pickup. I -- I 12 personally was going to be flying a lot more due to the 13 fact that, if I had my job I still wouldn't be in the 14 position that I am with my husband, so more than likely 15 online being the topped out flight attendant, I can 16 make a hundred-plus.</p> <p>17 Q. Per year?</p> <p>18 A. Yes.</p> <p>19 MR. CORRELL: And again we will make this 20 confidential just because I just want to be sensitive 21 to this issue for you, Mrs. Carter.</p> <p>22 BY MR. CORRELL:</p> <p>23 Q. But when you say you wouldn't be in this 24 position with your husband, what do you mean?</p> <p>25 A. If I -- the reason that I'm still here in</p> |
| <p style="text-align: center;">Page 135</p> <p>1 this marriage is because I don't have that means right 2 now to be able to earn that for my daughter and I.</p> <p>3 Q. Was that true when you were working at 4 Divine Intervention without pay?</p> <p>5 A. At the time, yes, but my daughter was 6 actually traveling with me, which made it -- because I 7 home school, so she's been home schooled for the last 8 eight years, so she was actually traveling with me to 9 St. Louis.</p> <p>10 Q. Do you still seek to be reinstated as a 11 flight attendant at Southwest Airlines?</p> <p>12 A. I would love to be reinstated as a flight 13 attendant at Southwest Airlines.</p> <p>14 Q. Are you seeking other damages aside from 15 back pay and -- and I guess not damages, but other 16 relief besides back pay and reinstatement as far as you 17 know?</p> <p>18 A. Yes, but I can't put a number on that.</p> <p>19 And --</p> <p>20 Q. Okay. What category is it?</p> <p>21 A. It really harmed my -- it harmed me. let's 22 put it this way. It harmed my family in other ways, 23 and it harmed my daughter. She saw me go through 24 things that rocked my world after losing my job. To be 25 quite honest with you, though, and this is -- I'm</p> | <p style="text-align: center;">Page 136</p> <p>1 not -- I didn't go into this seeking money. I went 2 into this because I believed I was fired wrongly. I'd 3 never been in trouble at my job before. I loved my job 4 and I was a good flight attendant and I was a good 5 employee. And you can't put a price on the career I 6 had for 20 years that I loved.</p> <p>7 Q. Do you understand that you are also seeking 8 damages associated with costs that you incurred seeking 9 medical treatment; is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. What medical treatment did you seek as a 12 result of your termination?</p> <p>13 A. I was on a trip to St. Louis a couple 14 months after I was fired, and because of the stress and 15 just, you know, preparing for my second step meeting, 16 everything, just going through all of that, because I 17 never dreamed that I would be going through that, I had 18 basically what they call a walking stroke, which means 19 I did not pass out, but I have no recollection for at 20 least six hours, they think longer than that, and I 21 ended up, once I finally started coming to and talking 22 to people, one being my husband, told me I needed to 23 get myself to the emergency room, which I did, and they 24 kept me for -- I think I got in there around 11 o'clock 25 at night, something like that, and I was there until</p> |

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| <p>1 about 7:00 in the morning the next day, and the only 2 reason they released me was because, while I was 3 working with Project Purpose, I -- we had a prayer 4 meeting that next day that I actually was in charge of 5 so I was on a business per se outing or whatever in 6 St. Louis and I ended up accruing -- accruing, you 7 know, some -- or not legal, but some medical bills from 8 that.</p> <p>9 Q. And just so I understand, when you say the 10 phrase "walking stroke," and I understand that you're 11 not a doctor --</p> <p>12 A. Right.</p> <p>13 Q. -- is it your understanding that that's 14 actually a stroke like loss of oxygen to the brain or 15 is this something --</p> <p>16 A. Yes. Yeah. It's lack of -- loss of -- my 17 blood pressure was spiking so high and my heart rate 18 was so erratic, and later to find out the reason for 19 all of that was just due to the -- the fight-and-flight 20 response that your body goes through, and for months I 21 hadn't been sleeping, I hadn't been eating, the stress 22 was overtaking me regarding the fact that I lost my 23 career.</p> <p>24 Q. Who gave you the diagnosis that a walking 25 stroke was caused by losing your job?</p> | <p>1 A. Well, the -- the doctor. I had explained 2 to him the stuff that I was going through and he told 3 me that just an overwhelming amount of stress can cause 4 these types of things. He didn't say it was due to me 5 losing my job. He just said if those are the stresses 6 that are causing this, then I needed to, you know, seek 7 help for it and then he wanted to make sure that he put 8 me on a blood pressure medicine so that I could 9 continue my trip while I was there in St. Louis.</p> <p>10 Q. When you were talking to that doctor, did 11 you also relay to him what you shared with us today 12 about the situation with your spouse?</p> <p>13 A. I told him that I was having some also 14 marital problems, too, yes, I did.</p> <p>15 Q. Who -- what is the name of the doctor that 16 you are referencing?</p> <p>17 A. You know what, I do not remember. It was 18 the emergency room physician, and actually I think 19 there were two at one point because they had sent me 20 back to get a CT scan to make sure that I didn't have a 21 blood clot or anything going on, and then I think the 22 other doctor, there was somebody else that came in so I 23 can't tell you for sure who that is.</p> <p>24 Q. If I say the name Dr. Collin Ballain, 25 B-A-L-L-A-I-N, does that ring any bells as to who</p> |
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| <p>1 that -- who the doctor was or is that somebody else?</p> <p>2 A. No, that's somebody else. That's my doctor 3 here in Denver.</p> <p>4 Q. Do you have any documents from your visit 5 to the hospital in St. Louis for the walking stroke?</p> <p>6 A. Yeah, I believe that -- I mean, I sent it 7 to my attorney, I would figure that you'd have it.</p> <p>8 MR. CORRELL: So, counsel, the only 9 document that I have seen is a bill from St. Mary's 10 Hospital. I haven't seen any medical records that were 11 in Ms. Carter's possession. Are there other documents 12 that --</p> <p>13 MR. GILLIAM: No -- sorry to talk over you. 14 Yeah, that's correct. That's the only thing we had to 15 produce.</p> <p>16 MR. CORRELL: Okay. Just confirming.</p> <p>17 MR. GILLIAM: Sure. Sure.</p> <p>18 BY MR. CORRELL:</p> <p>19 Q. After you left St. Louis following the 20 incident there -- and I just want to confirm, was that 21 St. Mary's Hospital where you were treated?</p> <p>22 A. Yes, that is correct.</p> <p>23 Q. After you left St. Mary's Hospital, did you 24 get any additional treatment for a walking stroke?</p> <p>25 A. I did. I went to my doctor when I got home</p> | <p>1 and got a -- you know, some blood pressure medicine and 2 then some other -- I went to, later on, a psychologist 3 and his name is David Ragsdale.</p> <p>4 Q. Prior to your termination at Southwest, had 5 you ever been on blood pressure medication before?</p> <p>6 A. No.</p> <p>7 Q. Had you ever been diagnosed as 8 hypertensive?</p> <p>9 A. No.</p> <p>10 Q. Are you still on blood pressure medication?</p> <p>11 A. I -- yes, I am.</p> <p>12 Q. Other than going to your doctor at home, is 13 that Dr. Ballain?</p> <p>14 A. Yes.</p> <p>15 Q. And going to Dr. Ragsdale, the 16 psychologist, did you see any other professionals for 17 treatment regarding your walking stroke?</p> <p>18 A. No, huh-uh, no, because my doctor, she was 19 able to get -- to -- to finally regulate some sort of 20 my blood pressure, Dr. Ballain was, and then just with 21 the stress level, my psychologist, and he -- he 22 basically -- well, he diagnosed me with PTSD, which 23 means it's a fight and flight, you're constantly in a 24 turmoil, you never can release it, and he was able to 25 help me through EMDR, which is -- it's a -- it's like a</p> |

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| | |
| 1 brain wave-type thing that they do for you and it helps 2 a lot. 3 Q. So Dr. Ragsdale told you he was actually 4 diagnosing you with PTSD? 5 A. He said I had the signs within -- I mean, 6 he gave me a test and went through all this stuff with 7 me. Yes, he said that I was -- I had classic signs of 8 PTSD. 9 Q. Did you tell Dr. Ragsdale that you had been 10 exposed to death or threatened death in connection with 11 your termination? 12 A. I'm sorry. Repeat that? 13 Q. Did you tell Dr. Ragsdale that you had been 14 exposed to death or the threat of death in connection 15 with your termination? 16 A. No. 17 Q. Did you tell Dr. Ragsdale that you had been 18 exposed to actual or threatened serious physical injury 19 in connection with your termination? 20 A. No. 21 Q. Did you tell Dr. Ragsdale that you had been 22 exposed to actual or threatened sexual violation in 23 connection with your termination? 24 A. No. 25 Q. Did -- did any discussion of death, serious | 1 physical injury or sexual violation come up in your 2 discussions with Dr. Ragsdale? 3 A. No. 4 Q. Are you still suffering from the symptoms 5 of PTSD? 6 A. The stress level has come way down with the 7 visit and the EMDR that he did with me, and just with 8 also, too, keeping my blood pressure medicine -- you 9 know, my blood pressure, trying to keep it equalized, 10 yes, and -- and he gave me other mechanisms to help 11 with that. 12 Q. And just so I'm clear on your primary care 13 physician, is it Colleen Ballain? 14 A. Yes. 15 Q. Okay. I was mispronouncing her name. I 16 thought it was Collin. Thank you. 17 A. Yeah, that's okay. 18 Q. Are you still receiving treatments from 19 Dr. Ragsdale? 20 A. I have been going into him, it's more 21 sporadic because I haven't had as much of the issues 22 that I had been dealing with before, but yes, I still 23 have seen him. It's been -- it's been a while due to 24 the COVID stuff that we've had going on, so it -- 25 that's kind of put us behind the scenes I guess -- or |
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| 1 not behind the scenes right now. So I just do more 2 stuff at home. 3 (Deposition Exs. 9 and 10 marked) 4 BY MR. CORRELL: 5 Q. I am going to show you two exhibits that 6 we're going to look at together that are related to 7 Dr. Ragsdale. The first one should start populating 8 here in just a second. Then I'll go ahead and release 9 the second one while you look at the first one. 10 A. Okay. 11 Q. And the second one should be available to 12 you as well. So those will be Exhibits 9 and 13 Exhibit 10. 14 A. Okay. I've got 9. Let me go back and see. 15 I guess I have to keep refreshing every time. And 16 Exhibit 10. Yes. Okay. 17 Q. Do you recognize these two documents? 18 A. I do. 19 Q. What are these two documents? 20 A. This is the billing from Dr. Ragsdale. 21 Q. So first of all, other than these two 22 documents, do you possess any other documents 23 concerning your work with Dr. Ragsdale? 24 A. Not at the moment. This -- I think this is 25 the most current. | 1 Q. Do you have any other documents about your 2 treatment with Dr. Ragsdale in your possession? 3 A. No. 4 Q. And as you can imagine, what I'm trying to 5 figure out is if there's anything else I need to get 6 from you about your interactions with Dr. Ragsdale 7 since he's an issue in this case. 8 MR. GILLIAM: Can I interject here for just 9 a question? 10 MR. CORRELL: Sure. 11 MR. GILLIAM: Did -- were you able to get 12 those documents that we -- that you had subpoenaed? 13 MR. CORRELL: We have asked them to be 14 produced and the doctors are not moving quickly. 15 MR. GILLIAM: Oh. Okay. We -- we do have 16 something. 17 MR. CORRELL: Okay. 18 MR. GILLIAM: And so, yeah, we should get 19 that to you. 20 MR. CORRELL: Okay. Is there a way to get 21 that produced basically now while I continue the 22 deposition so that I can make sure there's nothing I 23 need to ask Ms. Carter about? 24 MR. GILLIAM: Yeah. Let me -- let me get 25 that to you. |

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| 1 MR. CORRELL: Thank you. | 1 Dr. Ragsdale prior to July 12, 2018? |
| 2 MR. GILLIAM: I apologize. I didn't -- I | 2 A. Let me look because I don't remember what |
| 3 thought you had that, so -- | 3 it was. I know it was some time after the fact that I |
| 4 MR. CORRELL: No worries. No, we're | 4 went and saw him because I was looking for a specific |
| 5 waiting on them to produce as well. | 5 counselor, a Christian counselor, but also to the fact |
| 6 MR. GILLIAM: Okay. I will send you what | 6 that if you're -- yeah, I mean, that -- yes. So I -- |
| 7 we have. | 7 the date. |
| 8 MR. CORRELL: Thank you. I appreciate | 8 Q. Did you see anybody else for counseling or |
| 9 that. That will make this much more efficient. | 9 psychological services prior to July 12, 2018, |
| 10 BY MR. CORRELL: | 10 following your termination? |
| 11 Q. Ms. Carter, on these two documents, do you | 11 A. No, I did not. |
| 12 see where it lists dates of service on -- in the first | 12 Q. You see here a list of charges and |
| 13 column on both pages? | 13 payments, correct? |
| 14 A. Mm-hmm, I sure do. | 14 A. Correct. |
| 15 Q. To your recollection, does that actually | 15 Q. Did you personally pay those charges? |
| 16 capture -- accurately capture all of the dates that you | 16 A. Yes, I did. |
| 17 saw Dr. Ragsdale? | 17 Q. Were any of those charges reimbursed to you |
| 18 A. I believe so. | 18 by your insurance or any other source? |
| 19 Q. And so is it your understanding that you | 19 A. No, they were not. |
| 20 did not see -- and I see actually that the two are | 20 Q. Other than Dr. Ragsdale, Dr. Ballain, and |
| 21 cumulative it now appears, the first one has -- | 21 St. Mary's Hospital, are there any other physicians or |
| 22 Exhibit 10 appears to have everything that is also | 22 medical professionals for whom you are seeking to -- |
| 23 on -- no, it does not. They're not -- they're not. | 23 about whom you are seeking to recover damages in this |
| 24 They're not cumulative. | 24 lawsuit? |
| 25 Is it your understanding you did not see | 25 A. No. No. |
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| 1 Q. I know we've talked at some length earlier | 1 Q. Who is Brett Nevarez? |
| 2 today about your post Southwest Airlines employment and | 2 A. Brett Nevarez was -- well, he was a flight |
| 3 activities. Outside of that, have you received income | 3 attendant, for one, but he was also voted in or placed |
| 4 from any other sources aside from income normally | 4 in office I should say the first go-round, and he, I |
| 5 coming in to your home from your spouse? | 5 believe, was the first or second vice president of the |
| 6 A. No. No, I mean, I've done a few little | 6 union. |
| 7 things for friends here and there, I'm a photographer, | 7 Q. To your knowledge, is he still in that |
| 8 but it's -- it doesn't amount to anything. | 8 role? |
| 9 Q. How much is "not anything"? | 9 A. No, he was part of Audrey's team. |
| 10 A. I'd say less than \$500 give or take. | 10 Q. What role, if any, did he play in your |
| 11 Q. Any other sources of income that you have | 11 termination, to your knowledge? |
| 12 received? It doesn't have to be worked-for income. It | 12 A. That, I don't know per se. |
| 13 could be money given to you by other people. | 13 Q. When you say "per se," what do you mean? |
| 14 A. What, gifts you mean? | 14 A. I mean, I don't -- I don't know if he |
| 15 Q. Money you've solicited to support yourself. | 15 played any role except maybe -- no, I take that back. |
| 16 It doesn't need to be Christmas presents or birthday | 16 He would have played a role when I went before the |
| 17 presents, but any kind of -- | 17 board to go to arbitration. |
| 18 A. I didn't. I didn't solicit anything. | 18 Q. When did that occur? |
| 19 Q. Okay. | 19 A. I want to say late late -- well, it would |
| 20 MR. GILLIAM: And counsel, wouldn't you | 20 have been summertime of 2018 -- no. |
| 21 know it, my Outlook has crashed. I tried to send it to | 21 Q. Would it be before -- |
| 22 you. But we will try to get it to you before this | 22 A. Would that be right? |
| 23 deposition is up. So... | 23 Q. This was before the arbitration, right? |
| 24 MR. CORRELL: Sure. No, I appreciate that. | 24 A. Yeah, before the arbitration. So maybe it |
| 25 BY MR. CORRELL: | 25 would have been the summer of 2017. I'm getting my |

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| | |
| 1 dates, years mixed up. | 1 forward? |
| 2 Q. What happened when you went before the | 2 A. They had already denied it. |
| 3 board in the summer of 2017? | 3 Q. And that's what I'm just confirming is that |
| 4 A. I had to plead my case to the board for | 4 the time you sought the release they had already told |
| 5 them to take it to arbitration and they denied it. | 5 you we're not going to take your case to arbitration? |
| 6 Q. So 556 declined to take your case to | 6 A. That is correct. |
| 7 arbitration? | 7 Q. Who is Cuyler Thompson, spelled |
| 8 A. That is correct. | 8 C-U-Y-L-E-R? |
| 9 Q. Was Ms. Stone on that board? | 9 A. He was our recording secretary. |
| 10 A. Yes. | 10 Q. What role, if any, did Mr. Thompson play in |
| 11 Q. Do you know if she voted or recused | 11 your termination, if you know? |
| 12 herself? | 12 A. I would imagine he was probably one that |
| 13 A. I do not know. | 13 sat on the board to deny my going to arbitration as |
| 14 Q. Do you know what the vote was among the | 14 well. That would be the only thing that he would be |
| 15 board members? | 15 involved in. |
| 16 A. That -- I wasn't there. I don't either. | 16 Q. Was he there? |
| 17 Q. Did they tell you why they weren't taking | 17 A. What do you mean? On the board that day? |
| 18 your case to arbitration? | 18 Q. Well, when you -- when you presented your |
| 19 A. No, they did not. They just said they | 19 case to the board, was this a physical meeting where |
| 20 denied it. | 20 you stood with a group of people or -- |
| 21 Q. So you sought a release from the union at | 21 A. No, it was actually a phone conver -- or a |
| 22 the first arbitration, correct? | 22 phone meeting. |
| 23 A. Yes, I did. | 23 Q. So as you sit here today, you do know that |
| 24 Q. At that point in time it was your | 24 Brett Nevarez was on that call? |
| 25 understanding that the union would not take your case | 25 A. I believe so. I believe that -- I believe |
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| 1 so because they have to have -- I forget how many board | 1 A. She played none. |
| 2 members that are there. | 2 Q. Have you had any communications with |
| 3 Q. But you don't know for sure if Mr. Thompson | 3 Ms. Montgomery since your termination other than the |
| 4 was there? | 4 one we have already discussed today? |
| 5 A. I don't know for sure, no. | 5 A. Yes, we are friends. |
| 6 Q. And I think this is a name similar to one | 6 Q. Have you communicated with Ms. Montgomery |
| 7 we have heard earlier, but it's spelled differently so | 7 about any aspect of this case since it was filed in |
| 8 I don't know if it's the same person. A Lyn, L-Y-N, | 8 September of 2018 I believe? |
| 9 Montgomery, M-O-N-T-G-O-M-E-R-Y? | 9 A. She knows of my case, yes. I mean, she's |
| 10 A. Okay. | 10 the president of the union and she's also a friend of |
| 11 Q. Who is Lyn Montgomery? | 11 mine. |
| 12 A. Lyn Montgomery used to be our grievance | 12 Q. When is the last time you spoke to Lyn |
| 13 chair. Audrey fired her. So at that point she would | 13 Montgomery about your case? |
| 14 have not been on the -- on the board when I went | 14 A. It would have been last December. |
| 15 through. | 15 Q. So in December of 2019, you spoke to Lyn |
| 16 Q. This name is actually coming from the | 16 Montgomery about your case? |
| 17 initial disclosures provided by your counsel in this | 17 A. Not about the case, but, you know, I spoke |
| 18 case, and Ms. Montgomery's title here is listed as | 18 to her. |
| 19 president of Local 556. | 19 Q. When is the last time you spoke to her |
| 20 A. That is what she is now. | 20 about the case? |
| 21 Q. I see. When did that occur? | 21 A. She can't discuss the case so we don't |
| 22 A. Well, it was after I was fired so that | 22 discuss the case. We are friends. |
| 23 would have been 2018. | 23 Q. Have you ever talked to Lyn Montgomery |
| 24 Q. What role, if any, did Ms. Montgomery play | 24 about Audrey Stone? |
| 25 in your termination, to your knowledge? | 25 A. In the past, yes. |

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| 1 Q. When is the last time you spoke to Lyn 2 Montgomery about Audrey Stone? | 1 Q. What role, if any, did Ms. Benoit play in 2 your termination, if you know? |
| 3 A. It would have been before she became 4 president, so that would have been, what, 2000, I don't 5 know, '18. | 3 A. I -- that I don't know because she was in 4 the union prior to me being fired. I'm just not sure 5 what her role was. |
| 6 Q. I'm not going to try to pronounce this last 7 name, Ms. Carter, but I'll spell it for you. Who is 8 Chad K-L-E-I-B-S-C-H -- | 6 Q. Have you ever spoken or communicated -- I 7 shouldn't say spoken. Have you ever communicated with 8 Ms. Benoit about your lawsuit? |
| 9 A. Okay. | 9 A. No. |
| 10 Q. -- E-I-D-E-L? | 10 Q. Have you ever communicated with Ms. Benoit 11 about Audrey Stone? |
| 11 A. He is -- and I know who you are talking 12 about. He is a board member. | 12 A. No. |
| 13 Q. What role, if any, did he play in your 14 termination to your knowledge? | 13 Q. Who is John Parrott? |
| 15 A. He didn't play any. | 14 A. He is and has been the union controller, 15 takes care of all the finances. |
| 16 Q. Has he had any involvement in your lawsuit? | 16 Q. What role, if any, did Mr. Parrott have in 17 your termination, if you know? |
| 17 A. No. | 18 A. I don't know if he was at that board 19 hearing of mine or not. |
| 18 Q. Have you communicated with him about your 19 lawsuit? | 20 Q. Any other roles that you believe he may 21 have had in your termination? |
| 20 A. No. | 22 A. Not that I know of. |
| 21 Q. Have you communicated with him about Audrey 22 Stone? | 23 Q. Have you communicated with Mr. Parrott 24 about your termination? |
| 23 A. No. | 25 A. I -- |
| 24 Q. Who is LaTonia Paul Benoit, B-E-N-O-I-T? | |
| 25 A. She is another board member. | |
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| 1 Q. I'm sorry. I misspoke. Have you 2 communicated with Mr. Parrott about your lawsuit? | 1 A. No, I have not. |
| 3 A. No. | 2 Q. Have you had any communications with Becky 3 Parker regarding Audrey Stone? |
| 4 Q. Have you communicated with Mr. Parrott 5 about Audrey Stone? | 4 A. No. |
| 6 A. No. | 5 Q. Other than what we've discussed already, 6 and that is Ms. Parker's role advising you in 7 connection with your grievance, are you aware of 8 Ms. Parker playing any other role in the decision to 9 terminate your employment? |
| 7 Q. Who is Key, K-E-Y, Ander, A-N-D-E-R, Early? | 10 A. No. |
| 8 A. I think she is on the board as well. I 9 just don't know what her title is. | 11 Q. Who is Jessica Parker? |
| 10 Q. What role, if any, did Ms. Early have in 11 your termination, if you know? | 12 A. She is on the board. She is one of the 13 ones that's on the -- heads up now the women's 14 committee, and she is also the Denver based rep so 15 she's a DEBM. So she sits on the board. |
| 12 A. I don't believe any. | 16 Q. And what was the acronym you just 17 mentioned, DEBM? |
| 13 Q. Have you ever communicated with Ms. Early 14 about your lawsuit? | 18 A. It's a DEBM. It's a -- it's a base -- |
| 15 A. No. | 19 she's actually on the board but she represents the 20 Denver base. |
| 16 Q. Have you communicated with Ms. Early about 17 Audrey Stone? | 21 Q. And just so we get it clear on the record, 22 would that be D-E-B-M? |
| 18 A. No. | 23 A. Yeah. |
| 19 Q. I believe Becky Parker is who you 20 identified as one of the two people assisting you with 21 your grievance in 2017; is that correct? | 24 Q. Thank you. |
| 22 A. That is correct. | 25 A. That's the acronym for -- I forget what |
| 23 Q. Since that time, have you had any 24 communications with Becky Parker regarding your 25 lawsuit? | |

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| | |
| 1 it's called. | 1 Ms. Emlet. I believe I accidentally omitted |
| 2 Q. What role, if any, did Ms. Parker play in | 2 Ms. Barnett. Do you recall Edie Barnett? |
| 3 your termination, if you know? | 3 A. I do, yes. |
| 4 A. I think she may have been on the board the | 4 Q. And she participated in your fact-finding |
| 5 day that my grievance came to the board. | 5 via telephone, correct? |
| 6 Q. Any other activities by Ms. Parker that you | 6 A. Yes. |
| 7 are aware of concerning your termination? | 7 Q. What information, if any, do you have that |
| 8 A. Not that I know of. | 8 you believe shows that Ms. Barnett acted against you |
| 9 Q. Have you communicated with Ms. Parker at | 9 based on your religious beliefs? |
| 10 all about your lawsuit? | 10 A. I don't have any. |
| 11 A. No. | 11 Q. And do you have any information that you |
| 12 Q. Have you communicated with Ms. Parker at | 12 believe shows that Ms. Barnett acted against you |
| 13 all about Audrey Stone? | 13 because you were a union objector? |
| 14 A. No. | 14 A. No. |
| 15 Q. And if you don't mind, I'm just going to | 15 Q. Do you have any information that you |
| 16 step right over here and close this door again. My dog | 16 believe shows that Tammy Shaffer acted against you |
| 17 had gone out and she left it -- | 17 because of your religious beliefs? |
| 18 Q. Go ahead. | 18 A. No. |
| 19 A. That's what you get when you have a | 19 Q. Do you have any information that you |
| 20 120-pound bloodhound -- | 20 believe shows that Tammy Shaffer acted against you |
| 21 Q. That's a big dog. | 21 because you are a union objector? |
| 22 A. -- who can open the door. | 22 A. No. |
| 23 Q. Earlier today I was asking you about the | 23 Q. What role, if any, do you believe Tammy |
| 24 individuals who attended your fact-finding meeting and | 24 Shaffer played in your termination? |
| 25 we covered Mr. Schneider, Ms. Jones, Ms. Gutierrez and | 25 A. That, I don't know. |
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| | |
| 1 Q. Who is Greg Hofer? | 1 your lawsuit? |
| 2 A. Greg Hofer is a flight attendant and a | 2 A. He knows of it. |
| 3 friend of mine. | 3 Q. When is the last time you communicated with |
| 4 Q. What role, if any, did Mr. Hofer play in | 4 Mr. Hand about your lawsuit? |
| 5 the termination of your employment with Southwest, if | 5 A. Not about my lawsuit. I mean, we talk a |
| 6 you know? | 6 lot. I mean, he's a very good friend of mine. |
| 7 A. He didn't play any role. | 7 Q. Have you communicated with Mr. Hand about |
| 8 Q. Have you had any communications with | 8 Audrey Stone? |
| 9 Mr. Hofer about your lawsuit? | 9 A. No. |
| 10 A. He knows of my lawsuit, but no. | 10 Q. Who is Bill Holcomb? |
| 11 Q. Have you had any communications with | 11 A. He was also a flight attendant. |
| 12 Mr. Hofer about Audrey Stone? | 12 Q. Do you have any idea -- and just so you |
| 13 A. Just in the -- just in the past about | 13 know, Ms. Carter, I'm going through the list of people |
| 14 things about the union and what they were doing. | 14 identified as having information relevant to this case. |
| 15 Q. When is the last time you recall having | 15 I'm not asking you to tell me based on why your lawyers |
| 16 communications with Greg Hofer about Audrey Stone? | 16 put them on here. I'm just trying to get your |
| 17 A. Oh gosh. It would have been when we were | 17 knowledge of these people as it relates to your |
| 18 both flying so that would have been 2017. | 18 termination and the events of the case just so you know |
| 19 Q. Who is Kent Hand? | 19 what we're doing here. |
| 20 A. Another flight attendant and very good | 20 A. Okay. |
| 21 friend. | 21 Q. So did Mr. Holcomb play any role in, to |
| 22 Q. What role, if any, did Mr. Hand play in the | 22 your knowledge, the termination of your employment from |
| 23 process of your termination, if you know? | 23 Southwest Airlines? |
| 24 A. He didn't play any role in it. | 24 A. Not that I know of. |
| 25 Q. Have you communicated with Mr. Hand about | 25 Q. You've mentioned a couple of these other |

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| 1 folks are your friends. Is Mr. Holcomb one of your 2 friends? | 1 doesn't know the inner -- in -- what's going on on the 2 interim through me. |
| 3 A. No, I know of him, but no, he was -- he was 4 not a friend. He was an acquaintance flight attendant. | 3 Q. Have you communicated with her at all about 4 Audrey Stone? |
| 5 Q. Have you communicated with Mr. Holcomb 6 about your lawsuit? | 5 A. In the past, yeah. |
| 7 A. No. | 6 Q. When is the last time you communicated with |
| 8 Q. Have you communicated with Mr. Holcomb 9 about Audrey Stone? | 7 Ms. Immamovic about Audrey Stone? |
| 10 A. No. | 8 A. When -- when I first got fired. |
| 11 Q. And earlier we got some testimony about 12 Holly Immamovic. To your knowledge, did Ms. Immamovic 13 play any role in Southwest's decision to terminate your 14 employment? | 9 Q. So spring 2017 time frame? |
| 15 A. No. | 10 A. Yes. |
| 16 Q. Is south -- is Ms. Immamovic still 17 separated from Southwest Airlines as far as you know? | 11 Q. Have you communicated with Jeanna Jackson 12 about your lawsuit? |
| 18 A. Yes, she is. | 13 A. She knows of it, yes. |
| 19 Q. Have you communicated with Ms. Immamovic 20 about your lawsuit? | 14 Q. When is the last time you had a 15 communication with Ms. Jackson that concerned your 16 lawsuit? |
| 21 A. She knows of it. | 17 A. It's been a while. It's probably been 18 eight, nine months ago. |
| 22 Q. Have you had any substantive discussions 23 with her about it? | 19 Q. So probably before COVID, I mean, maybe 20 that's a good benchmark. |
| 24 A. I know that she knows why I was fired and, 25 you know, we've discussed things like that, but she | 21 A. Yeah, I would say so. We -- I mean, we 22 talk a lot, but -- and she knows I'm still within 23 the -- in the lawsuit, but we don't discuss at all. |
| | 24 Q. Have you discussed Audrey Stone with 25 Ms. Jackson since your termination? |
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| 1 A. No, I have not. | 1 A. I don't remember it, I don't recall what |
| 2 Q. Do you have any personal connection to 3 Casey Rittner? | 2 all it is. I'd have to go back and look. |
| 4 A. No, I don't. | 3 Q. Is it a written document? Is it -- was it |
| 5 Q. Who is Josh Rosenberg? | 4 a telephone conversation? |
| 6 A. He was a flight attendant at Southwest 7 also. | 5 A. You know what? I don't remember. |
| 8 Q. Did Mr. Rosenberg play any role in your 9 termination as far as you know? | 6 Q. When did you get this information from |
| 10 A. Not that I know of. | 7 Mr. Click? |
| 11 Q. Have you communicated with Mr. Rosenberg 12 about your lawsuit? | 8 A. That I don't remember either. |
| 13 A. No. | 9 Q. Can you tell me what year? |
| 14 Q. Have you communicated with Mr. Rosenberg 15 about Audrey Stone? | 10 A. I know he played a part in my -- or was |
| 16 A. No. | 11 going to play a part. I can't remember if he was |
| 17 Q. Who is Chris Click? | 12 actually at my arbitration or not. |
| 18 A. He is a flight attendant, a friend of mine, 19 and then he also was I believe the vice president of 20 our union before they remove -- were removed. | 13 Q. Do you remember any of the information that |
| 21 Q. Are you aware that in your interrogatories 22 you indicate that Mr. Click provided you with a 23 statement in this case? | 14 Mr. Click has provided to you? |
| 24 A. Yes. | 15 A. Not off the top of my head right now, no. |
| 25 Q. What was the form of that statement? | 16 Q. Does it concern any of the circumstances of |
| | 17 your termination? |
| | 18 A. He knew about my termination, yes. |
| | 19 Q. But as you sit here today, you can't tell |
| | 20 me anything about the statement that was provided to |
| | 21 you by Chris Click? |
| | 22 A. I don't know what all he said, no, I'm |
| | 23 sorry, I don't. |
| | 24 Q. Has he provided you any additional |
| | 25 statements since the one that you are referencing now? |

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|---|---|
| 1 A. No. 2 Q. Chris Sullivan was your representative at 3 your fact-finding meeting, correct? 4 A. That's correct. 5 Q. Are you aware in your interrogatories you 6 state that Mr. Sullivan has provided you with a 7 statement? 8 A. I believe so, yes. 9 Q. Do you know what the form of that statement 10 is? 11 A. No, I do not. I'd have to go back and read 12 it. 13 Q. Is it a document? 14 A. No. If it's in my interrogatories, I mean, 15 that's what you are referencing it to, correct? 16 Q. Well, I mean I can show you the 17 interrogatories, Ms. Carter, but there's an 18 interrogatory that asks you to list people who have 19 provided you with a statement and there's a list of 20 names of people that provided statements. 21 A. I don't have those statements with me. I 22 don't have those statements. I would have given 23 everything over to my attorney. 24 Q. I fully understand that. But I'm still 25 asking you questions about did he send you an email, | 1 did he send you a Word document, did he send you a 2 handwritten letter. Like what was given to you that is 3 identified in your interrogatories as a statement? 4 A. He -- he didn't send me an email. He 5 didn't -- I don't -- whatever it was that I turned over 6 to my attorneys. I don't recall what he gave me. 7 Q. Okay. But, I mean, you don't even recall 8 if it was something you wrote or he wrote? 9 A. It would have been something that he would 10 have written I would imagine if it came from him. 11 Q. Okay. Let's go to the interrogatories. 12 A. Okay. 13 Q. Hold on. Just to make this easier. One 14 second. I'm introducing what will be marked as Exhibit 15 Number 11. Let me know when you have that in front of 16 you and then I will direct you to the correct 17 interrogatory. 18 (Deposition Ex. 11 marked) 19 A. Okay. I'm on that. 20 BY MR. CORRELL: 21 Q. Okay. And if you scroll down to page 8 of 22 that document. 23 A. Okay. Okay. 24 Q. You will see interrogatory number 5, 25 "Identify all persons from whom you have received |
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| 1 statements (oral or written) relating to the 2 allegations set forth in the complaint." 3 Do you see that? 4 A. "Identify persons from whom you have 5 received" -- okay. Yes. 6 Q. Do you see down below the paragraph of 7 objections there are several names with bullets next to 8 them. Do you see that? 9 A. Yes. 10 Q. So with Mr. Click you've testified you 11 don't know whether you received an oral or written 12 statement. Is that correct? 13 A. I don't remember what -- what I've 14 received. When they -- both Chris, Chris Sullivan, 15 Kent Hand, and Greg Hofer, those were I believe stuff 16 that I had gotten before my arbitration. 17 Q. Okay. And look, at the end of the day on 18 things that you don't remember that's a perfectly 19 acceptable answer, I just need to know what you do 20 remember and that's why I'm asking you -- 21 A. And honestly I don't remember what they 22 gave me or if it was a document that -- whatever I got 23 I have -- I have turned over to my attorney. 24 Q. Okay. So with respect to Mr. Sullivan, 25 Mr. Hand, and Mr. Hofer, as you sit here today you | 1 don't remember the contents of any statement that they 2 have given you? 3 A. I honestly don't. No, I don't. 4 Q. With Ms. Immamovic, what form of statement 5 did she give to you, was it written or verbal? 6 A. I don't -- I don't remember. Again, this 7 has been such a long time ago. 8 Q. That is perfectly fine, I just have to go 9 through all the questions. 10 A. That's okay. 11 Q. Do you remember anything about the contents 12 of the statement from Ms. Immamovic? 13 A. No, I do not. 14 Q. And with Jeanna Jackson, do you remember 15 whether she provided you an oral or written statement? 16 A. No, I do not. These -- like I said, this 17 was all during my arbitration. 18 Q. Have you reviewed any of these statements 19 since your arbitration? 20 A. No, I have not. 21 Q. Okay. Going next down to interrogatory 22 number 6, you will see a similar list of individuals in 23 response to the question, "Identify all persons with 24 whom you had any communication about the allegations in 25 the complaint." |

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| <p>1 Did I read that correctly?</p> <p>2 A. Yes.</p> <p>3 Q. What communications have you had with TJ 4 Barren, spelled B-A-R-R-E-N-N, regarding your 5 complaint?</p> <p>6 A. He just knows of it.</p> <p>7 Q. Have you had any discussions other than 8 just making him generally aware of the lawsuit?</p> <p>9 A. No. We're -- but we're friends.</p> <p>10 Q. With Mr. Click, when is the last time you 11 spoke to him regarding the allegations in your 12 complaint?</p> <p>13 A. Oh, it's probably been over a year ago 14 maybe, if not longer.</p> <p>15 Q. What do you recall about your 16 communications directly with Mr. Click about the 17 allegations in your complaint?</p> <p>18 A. Just the fact that it's ongoing. I didn't 19 go into specifics.</p> <p>20 Q. Who is Victor Conejo?</p> <p>21 A. He's a friend of mine.</p> <p>22 Q. Does he work for Southwest Airlines?</p> <p>23 A. Yes, he's another flight attendant.</p> <p>24 Q. What -- when was the last time you 25 communicated with Mr. Conejo about your lawsuit?</p> | <p>1 A. It -- it's the same. Normally Victor, he 2 just checks on me. He's a very good friend of mine.</p> <p>3 Q. Have you communicated with Mr. Conejo about 4 Audrey Stone?</p> <p>5 A. No.</p> <p>6 Q. With Ms. Coughlin, Mary Coughlin, 7 C-O-U-G-H-L-I-N, what communications did you have with 8 her about the allegations in your complaint?</p> <p>9 A. Just that she knows about it and has read 10 it.</p> <p>11 Q. When did you last communicate with 12 Ms. Coughlin about your complaint?</p> <p>13 A. About the complaint, it's been when it was 14 first introduced and --</p> <p>15 Q. Let me ask that question different. About 16 your lawsuit.</p> <p>17 A. I haven't talked to her about my lawsuit.</p> <p>18 Q. When is the -- well, and let me -- let me 19 back up there. So I -- let's try to agree on a term 20 here so that you understand my question and I 21 understand your answer.</p> <p>22 A. Okay.</p> <p>23 Q. What I'm trying to figure out is who have 24 you spoken to and when have you spoken to them about 25 the circumstances of your lawsuit. That includes the</p> |
| <p style="text-align: center;">Page 171</p> <p>1 allegations that you have asserted and the process of 2 your lawsuit to the present. Do you understand that?</p> <p>3 A. Yes.</p> <p>4 Q. So if I say -- and let me just be clear for 5 the record. So if I say have you spoken to them about 6 your lawsuit, I mean all of that, will you understand 7 that if I ask the question that way? And if not, I can 8 alter it. I just want to do it in a way that's 9 efficient so we don't spend five hours on this.</p> <p>10 A. Okay. But let me -- let me clarify that. 11 Every one of these people know about my lawsuit. They 12 can pull it up and read it. It was also in the media 13 when it first got filed. So when you ask these 14 questions, I want to give you're an -- I want to give 15 you a full answer on these.</p> <p>16 I don't go around sitting and talking to 17 these people about my lawsuit on a daily basis or on a 18 yearly basis or on a monthly basis. They ask me 19 where's the case going at this point, has it gone to 20 court, has -- you know, I mean, they'd ask me questions 21 like that and those are the things that I've answered. 22 I don't --</p> <p>23 Q. Let me ask this a different way then and 24 I'll make this a little bit easier. Starting in 25 November 2020, this month --</p> | <p style="text-align: center;">Page 172</p> <p>1 A. Okay.</p> <p>2 Q. -- who have you communicated with at 3 Southwest Airlines this month about your lawsuit in any 4 way?</p> <p>5 A. The only person would be Dawn Wann and 6 Jeanna Jackson.</p> <p>7 Q. Have you also communicated with them about 8 Audrey Stone in November 2020?</p> <p>9 A. No. No.</p> <p>10 Q. What -- what have your communications with 11 Ms. Wann and Ms. Jackson been about in November 2020?</p> <p>12 A. Just what -- what's happening in the 13 lawsuit. I mean, they -- they just wanted to know is, 14 you know, is -- are we getting ready to do depositions, 15 are we getting ready to do the things that, you know, 16 move this case forward.</p> <p>17 Q. Okay.</p> <p>18 A. And how am I doing, you know, am I doing 19 okay. They're very good friends of mine and, you know, 20 I've known them for years.</p> <p>21 Q. What about October of 2020?</p> <p>22 A. Dawn and I, we talk almost -- at least 23 twice a week. We're very good friends.</p> <p>24 Q. So is it fair to say that you've spoken to 25 Ms. Wann every month this year about your lawsuit?</p> |

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| <p>1 A. No, we don't always talk about my lawsuit, 2 no. No. As a matter of fact, we try to stay off that 3 topic.</p> <p>4 Q. So, and again, what I'm trying to do is 5 figure out who you have communicated with because that 6 helps inform who I am going to go communicate with.</p> <p>7 A. Right.</p> <p>8 Q. So -- so in October -- in November it was 9 just Ms. Wann and Ms. Jackson and only on lawsuit, not 10 on this stuff.</p> <p>11 In October, who did you communicate with 12 about your lawsuit, if anyone, who works for Southwest 13 Airlines?</p> <p>14 A. It would have only been Dawn.</p> <p>15 Q. Okay. Did those communications also 16 concern Audrey Stone?</p> <p>17 A. No.</p> <p>18 Q. Okay. September of 2020, anyone other -- 19 did you -- who did you communicate with about your 20 lawsuit in September of 2020?</p> <p>21 A. Nobody.</p> <p>22 Q. Did you communicate with anyone about 23 Ms. Stone?</p> <p>24 A. No.</p> <p>25 Q. Okay. How about August of 2020?</p> | <p>1 MR. GILLIAM: Counsel, if I may, the one 2 little I guess stipulation I would make is to the 3 extent that any of these communications involved the 4 subject matter of the motions for sanctions, I would 5 instruct my client not to answer that.</p> <p>6 MR. CORRELL: Then we're going to need to 7 suspend the deposition because if she had 8 communications that also included those, I'm entitled 9 to know about those other communications and I'll have 10 to get the court on the line.</p> <p>11 MR. GILLIAM: Okay. I -- I believe that 12 would be collateral to this matter and there is no 13 discoverable evidence that would really result from 14 that line of questioning. I mean, I -- I can 15 understand asking about communications about Audrey 16 Stone or about certain allegations in the complaint, 17 but regarding the -- you know, the specific matters 18 that were raised in the motions for sanctions, I would 19 say those I will have to instruct her not to answer.</p> <p>20 MR. CORRELL: So let me be clear before I 21 call Judge Rutherford.</p> <p>22 MR. GILLIAM: Okay.</p> <p>23 MR. CORRELL: I'm going to ask her to tell 24 me the name of every Southwest employee with whom she 25 has communicated about her lawsuit or Audrey Stone. I</p> |
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| <p>1 am going to ask when those communications occurred, and 2 to the extent those communications contain anything 3 other than discussion of Audrey Stone's flight 4 schedule, I'm going to have ask -- to be that 5 conversation.</p> <p>6 MR. GILLIAM: I'm sorry, I missed the last 7 part of what you said.</p> <p>8 MR. CORRELL: Sure. The only thing I 9 believe -- any protection over are specific 10 communications regarding Audrey Stone's flight 11 schedule. You cannot protect the name of the people 12 and the other contact communications that they had 13 because they are potential witnesses in this lawsuit 14 with whom Ms. Carter has communicated about the case.</p> <p>15 MR. GILLIAM: No, I think I agree with 16 that, counsel.</p> <p>17 MR. CORRELL: Okay.</p> <p>18 MR. GILLIAM: If you want to know about 19 allegations in the complaint or about Audrey Stone, 20 that -- that's fine. It's just specifically --</p> <p>21 MR. CORRELL: And I want to be -- I want to 22 be super clear here. If Ms. Carter got on the phone or 23 in person or via email communicated with a Southwest 24 employee and the subject matter of the conversation was 25 in any way related to the allegations of the complaint</p> | <p>1 or Audrey Stone, I'm entitled to know that that 2 communication took place. It goes to bias, it goes to 3 witness influence, and it goes to discovery of 4 potential people with knowledge of facts that I need to 5 go talk to.</p> <p>6 Now, if you want to assert a protection 7 over the specific discussion between Ms. Carter and 8 some person about Audrey Stone's flight schedule, you 9 are welcome to do that. But if I am going to be 10 constrained in any other way, I am going to need the 11 judge to make a ruling because I believe I am entitled 12 to that information because it speaks to a number of 13 issues relevant to witnesses.</p> <p>14 MR. GILLIAM: Okay. I mean I guess would 15 the better way be to proceed to see what you -- I guess 16 what your questions are, your specific questions might 17 be regarding --</p> <p>18 MR. CORRELL: That's -- that's fine as long 19 as there's not a pending instruction not to answer and 20 you're welcome to jump in whenever you feel necessary 21 if we need to stop to figure that out because I don't 22 want to run you into that situation.</p> <p>23 MR. GILLIAM: Yeah, yeah, no, I agree 24 there's a lot of information that you're entitled to. 25 That's -- that's just my one specific concern, but --</p> |

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| <p>1 MR. CORRELL: Fair. And I'm not -- I'm not 2 going to go in and say what information about Audrey 3 Stone's schedule or was this information about Audrey 4 Stone's schedule, those are not questions I'm planning 5 to ask, but I do need to know the nature of who she was 6 communicating with.</p> <p>7 MR. GILLIAM: Absolutely. That I agree you 8 are entitled to.</p> <p>9 MR. CORRELL: Okay.</p> <p>10 BY MR. CORRELL:</p> <p>11 Q. And so, Ms. Carter, just again for 12 reference to kind of reorient you, I'm going to want to 13 walk through months going back to 2019 to know who you 14 have been interacting with because I'm trying to 15 identify witnesses and the nature of the communications 16 they have received. Does that make sense?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And it doesn't have to be long, 19 we'll just kind of go through as quickly as we can. So 20 I believe for September you said there was no one. For 21 August of 2020, anyone who is employed by Southwest 22 Airlines who you communicated with about your lawsuit?</p> <p>23 A. Not that I recall.</p> <p>24 Q. Anyone you communicated with about Audrey 25 Stone?</p> | <p>1 A. No.</p> <p>2 Q. July of 2020, anyone who works for 3 Southwest Airlines that you communicated with about 4 your lawsuit?</p> <p>5 A. In July? Not that I recall.</p> <p>6 Q. Anybody you have communicated with about 7 Audrey Stone?</p> <p>8 A. I don't communicate with anybody about 9 Audrey Stone.</p> <p>10 Q. Did you receive communications from anyone 11 about Audrey Stone?</p> <p>12 A. No.</p> <p>13 Q. Okay. June of 2020, did you communicate 14 with anyone at Southwest Airlines about your lawsuit?</p> <p>15 A. Not that I recall.</p> <p>16 Q. Did you communicate with anyone at 17 Southwest Airlines about Audrey Stone?</p> <p>18 A. Again, I don't usually communicate anything 19 about Audrey Stone.</p> <p>20 Q. And that's not my question, Ms. Carter.</p> <p>21 A. No.</p> <p>22 Q. So you are aware you submitted a 23 declaration to the court previously stating that you 24 had communications with people at Southwest Airlines 25 about your lawsuit in June of 2020.</p> |
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| <p>1 A. I don't know if it was a Southwest Airlines 2 person or not.</p> <p>3 MR. GILLIAM: Again, Ms. Carter, I would 4 instruct you not to answer the question to the extent 5 that it reveals any of that subject matter, but you can 6 answer Mr. Correll's question as far as whether you had 7 communications about Audrey Stone.</p> <p>8 A. Okay. Communications about Audrey Stone 9 no, no communications about Audrey Stone.</p> <p>10 MR. CORRELL: One moment, please.</p> <p>11 BY MR. CORRELL:</p> <p>12 Q. In a sworn declaration to the court you 13 stated, "On or about June 25th, 2020, a Southwest 14 flight attendant called me. During the conversation I 15 asked the flight attendant where Stone was based. 16 Based on my 20 years of employment with Southwest 17 know that this information is commonly known among 18 flight attendants."</p> <p>19 Do you now change your testimony that you 20 had no communications about Audrey Stone in June of 21 2020?</p> <p>22 A. Okay. I didn't know that it was in June. 23 But yes, I did ask where she was based.</p> <p>24 MR. GILLIAM: Ms. Carter, again I would 25 instruct you that that is the subject matter that was</p> | <p>1 part of the motions for sanctions. Again, you can 2 discuss generally who you had communications about --</p> <p>3 BY MR. CORRELL:</p> <p>4 Q. Who was the person you were communicating 5 with?</p> <p>6 A. I'm sorry?</p> <p>7 Q. Who were you communicating with?</p> <p>8 MR. GILLIAM: Objection, vague.</p> <p>9 BY MR. CORRELL:</p> <p>10 Q. When you signed this declaration under oath 11 that was submitted to the court that said on or about 12 June 25th a Southwest flight attendant called me, who 13 is the unnamed Southwest flight attendant?</p> <p>14 MR. GILLIAM: Objection. That's -- that's 15 precisely in the area --</p> <p>16 MR. CORRELL: We're calling Judge 17 Rutherford. We're taking a break. This is not 18 protected. She had a communication. I get to know the 19 full context of that communication to go talk to that 20 person. Now you can cover up whatever she was doing at 21 the direction of counsel, but the fact that she spoke 22 to a person is not privileged or work product.</p> <p>23 MR. GILLIAM: No, I mean, again you can ask 24 her who she talked to --</p> <p>25 MR. CORRELL: I just did. I said who is</p> |

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| | |
| 1 the person who is -- | 1 she's opening the door. |
| 2 MR. GILLIAM: Identified in the | 2 MR. GILLIAM: Um -- |
| 3 declaration. That was part of the motions for | 3 A. I'm not trying to open a door. |
| 4 sanctions. | 4 BY MR. CORRELL: |
| 5 MR. CORRELL: I'm refreshing her | 5 Q. First she told me she didn't speak to |
| 6 recollection, because she told me she doesn't -- this | 6 anybody in June 2020. Then when I confront her with |
| 7 may be easier just to call Judge Rutherford, because | 7 the declaration, she admits it happened, but she can't |
| 8 you're going to assert objections that don't exist | 8 tell what context it is unless I tell her and you're |
| 9 here. | 9 telling me not to tell her the context. |
| 10 MR. GILLIAM: Okay. | 10 MR. GILLIAM: Well, again, I mean, I think |
| 11 MR. CORRELL: I mean, at the end of the | 11 that you refreshed her recollection that she did speak |
| 12 day, I'm allowed to know who Ms. Carter's been talking | 12 to some people in June of 2020. I think, you know, the |
| 13 to her case about. | 13 question should be, you know, did you speak to |
| 14 MR. GILLIAM: Correct. Okay. | 14 anybody -- I think you did ask, did she speak to anyone |
| 15 MR. CORRELL: So are you standing on the | 15 about Audrey Stone in June of 2020, and I don't think |
| 16 objection that I don't get to know who the unnamed | 16 she's answered that. |
| 17 flight attendant is? | 17 MR. CORRELL: Okay. |
| 18 MR. GILLIAM: Not in that declaration, I | 18 BY MR. CORRELL: |
| 19 mean, you can ask who she talked to with about Audrey | 19 Q. Tell me about every flight attendant in |
| 20 Stone. | 20 June 2020 who you spoke to where the words "Audrey |
| 21 BY MR. CORRELL: | 21 Stone" or "Audrey" or "Stone" came up in any way. |
| 22 Q. So who did you speak to about Audrey Stone | 22 A. The only person that I ever spoke with in |
| 23 in June of 2020? | 23 regards to anything that had to do with her was -- it |
| 24 A. On what context? | 24 was -- it would have been probably Dawn because Dawn |
| 25 MR. CORRELL: Counsel, she's making -- | 25 and I talk about, you know, flight stuff and all that |
| | |
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| | |
| 1 good kind of stuff all the time. | 1 MR. GILLIAM: Well, sure, and she said |
| 2 But now all I wanted to, you know, speak | 2 she's talked to Dawn Wann so you have that name. But I |
| 3 with her about is does she know maybe where she's based | 3 don't -- where I do draw the line where we would have |
| 4 now because she was in -- oh, what was it called -- | 4 to get magistrate -- Judge Rutherford on the phone is |
| 5 Vegas. | 5 if you want to ask specific questions regarding who she |
| 6 Q. So is it your understanding that the | 6 talks to -- who that person was -- |
| 7 unnamed flight attendant in the sworn statement | 7 MR. CORRELL: What's the basis -- what's |
| 8 submitted to the court is Dawn Wann? | 8 the basis of your objection there? |
| 9 A. No. | 9 MR. GILLIAM: That it's not discoverable |
| 10 MR. GILLIAM: I -- I -- | 10 evidence, it's not calculated to lead to discovery and |
| 11 A. I don't know -- | 11 that it's collateral to these proceedings and that the |
| 12 MR. CORRELL: It's a document I can impeach | 12 court has already made your motion -- |
| 13 her with at trial, counsel. I'm allowed to know the | 13 MR. CORRELL: The rule -- the rules used to |
| 14 name of the person. | 14 have the requirement that it lead to admissible |
| 15 MR. GILLIAM: But that's collateral to | 15 evidence. It's now been changed to proportionality |
| 16 these proceedings. | 16 standard. I'm unaware of a collateral objection. |
| 17 MR. CORRELL: Not if she's lying about | 17 So -- |
| 18 something. It's an impeachment device. | 18 MR. GILLIAM: Again, the judge has already |
| 19 MR. GILLIAM: I disagree. | 19 ruled on it. |
| 20 MR. CORRELL: I'm allowed to know who she | 20 MR. CORRELL: Okay. Let's go ahead -- |
| 21 is referencing because I need to go talk to -- I need | 21 look, we're just going to call Judge Rutherford and see |
| 22 to know who to go talk to, who she's been influencing | 22 if we can get her on the phone. |
| 23 who she's listed as a person she may call to trial. If | 23 MR. GILLIAM: That's fine. Okay. |
| 24 she influenced Dawn Wann in June of 2020 I'm allowed to | 24 MR. CORRELL: Take a break for five |
| 25 go talk to her. | 25 minutes. Counsel, if you'll stay close by I'll get her |

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| 1 and see if I can patch her in. 2 MR. GILLIAM: Okay. 3 VIDEOGRAPHER: We are going off the record 4 at 2:10 p.m. 5 (Break from 2:10 p.m. until 2:15 p.m.) 6 VIDEOGRAPHER: We are going back on the 7 record at 2:15 p.m. 8 BY MR. CORRELL: 9 Q. Ms. Carter, while we wait on the judge 10 we're going to skip the months of June and July and we 11 will come back to those after we've heard from the 12 court. 13 So we will go next to May of 2020. Who 14 employed by Southwest Airlines did you have 15 communications with during May of 2020 about your 16 lawsuit? 17 A. Nobody. I mean, I don't talk to people all 18 throughout every month about my lawsuit. 19 Q. Okay. Has there been anyone between 20 January 1, 2020, and May 31st, 2020, who is employed by 21 Southwest Airlines who you have communicated with about 22 your lawsuit in any way? 23 A. No, not like that, no. 24 Q. What do you mean by "not like that"? | 1 Q. I'm not limiting it specifically to 2 talking. I'm talk -- I'm including emails and text 3 messages and any other form of communication. 4 A. No. I've turned over everything. 5 Q. Have you had any communications with anyone 6 between January 1, 2020, and May 31st, 2020, about 7 Audrey Stone? 8 A. No. 9 Q. Okay. Go back to 2019. We'll do this in 10 quarters to try and speed it up. Between October 1st 11 of 2019 and December 31st of 2019, did you communicate 12 with anyone employed by Southwest Airlines about your 13 lawsuit? 14 A. I don't recall from there -- from that time 15 period. 16 Q. So you have no recollection at all of any 17 of those -- of any communications in that time frame? 18 A. Whatever I had and communicated I've 19 already turned over to you guys so I don't remember all 20 of these people. 21 Q. As long as your testimony is you don't 22 remember, we will keep on going. 23 A. Okay. 24 Q. Or if you have others that you do remember, 25 let me know. |
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| 1 Did you have any communications during that 2 same time period with anyone employed with Southwest 3 Airlines about Audrey Stone? 4 A. No. 5 Q. Between July 1st, 2019 and September 30th, 6 2019, did you have any communications with anyone 7 employed by Southwest Airlines about your lawsuit? 8 A. From what time period? 9 Q. The third quarter of 2019, so from the 10 beginning of July until the end of September. 11 A. I don't recall. 12 Q. Okay. Do you recall communications with 13 anyone concerning your lawsuit between the arbitration 14 in 2017 and the present other than Dawn Wann and Jeanna 15 Jackson? 16 A. I don't recall. 17 Q. Okay. Do you -- and again I'm excluding 18 the -- we'll come back to June and July 2020. Since 19 the arbitration have you communicated with anyone 20 employed by Southwest Airlines about Audrey Stone other 21 than we're setting aside June and July of 2020? 22 A. I don't recall. I don't speak about Audrey 23 Stone, though, I can tell you that. 24 Q. We'll come back to that because you did 25 submit a declaration saying on at least one occasion | 1 you did, right? 2 A. And that was to find out where she was 3 based. That was all. 4 Q. Is that the only occasion since 2018 that 5 you have spoken to anyone employed by Southwest 6 Airlines about? 7 A. Audrey Stone? Yes. That I can recall, 8 yes. I don't speak about Audrey Stone. 9 Q. Now, Ms. Carter, I am going to direct you 10 to what will be introduced as Exhibit 12 to your 11 deposition. 12 A. Okay. 13 (Deposition Ex. 12 marked) 14 MR. CORRELL: And one moment please, I want 15 to make sure this isn't the court. 16 Mr. Gilliam, we have Ms. Rutherford or 17 Judge -- excuse me, Judge Rutherford on the line. 18 We'll take a moment for counsel to speak to 19 the court. 20 Judge Rutherford, can you hear me? 21 THE COURT: I can. 22 MR. CORRELL: And Mr. Gilliam, do you mind 23 testing real quick to make sure she can hear you? 24 MR. GILLIAM: Yeah. Judge Rutherford, can 25 you hear me as well? |

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| <p>1 THE COURT: I can, thank you.</p> <p>2 MR. CORRELL: And can you hear Judge</p> <p>3 Rutherford?</p> <p>4 THE COURT: Yes, I can.</p> <p>5 MR. CORRELL: I apologize, Your Honor,</p> <p>6 we're kind of chewing gum and duct-taping it together</p> <p>7 between Zoom and cell phones to be able to communicate</p> <p>8 with everyone.</p> <p>9 The issue we are reaching out to you about,</p> <p>10 Your Honor, is we are in the middle of the deposition</p> <p>11 of Charlene Carter. Over the summer there was a series</p> <p>12 of motions filed regarding how plaintiff came to</p> <p>13 acquire certain information about a witness. In order</p> <p>14 to track that witness down, as part of my deposition</p> <p>15 today I'm attempting to examine the witness about all</p> <p>16 communications that she's had with third parties</p> <p>17 regarding her lawsuit, and plaintiff's counsel is</p> <p>18 objecting and instructing the witness not to provide me</p> <p>19 with that information.</p> <p>20 Defendant takes the position that we have a</p> <p>21 right to know every person with whom Ms. Carter has</p> <p>22 communicated both in order to fully investigate those</p> <p>23 people and to be able to subsequently present evidence</p> <p>24 of bias at trial if they are called as a witness, and</p> <p>25 so we are seeking an instruction on how we should</p> | <p>1 proceed on this matter.</p> <p>2 And Mr. Gilliam, if you care to respond.</p> <p>3 MR. GILLIAM: Yes, thank you.</p> <p>4 Judge Rutherford, I think we -- we agree</p> <p>5 that he's entitled to ask questions about who</p> <p>6 Ms. Carter communicated with. Our objection is that he</p> <p>7 is specifically -- is that Southwest's counsel is</p> <p>8 specifically asking Ms. Carter to identify who the</p> <p>9 persons were identified in the affidavit that she spoke</p> <p>10 with, and our position is that, one, the court has</p> <p>11 already ruled on it, that that -- that those</p> <p>12 communications are collateral to these proceedings and</p> <p>13 that they would not yield any sort of discoverable</p> <p>14 evidence.</p> <p>15 We also agree that defendant's counsel can</p> <p>16 ask who Ms. Carter communicated with about Audrey Stone</p> <p>17 outside of those issues that were the subject of the</p> <p>18 motion for sanctions, but on no other matters.</p> <p>19 MR. CORRELL: And Your Honor, if I may add,</p> <p>20 in asking Ms. Carter these questions, the response has</p> <p>21 repeatedly been, "About what," and so I'm in a position</p> <p>22 where in order to ask Ms. Carter these questions I have</p> <p>23 to provide her context of the nature of the</p> <p>24 conversations so I can ask her what else was discussed,</p> <p>25 if anything. And so I need to know the names of every</p> |
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| <p>1 person that she's been speaking to and, I mean, it --</p> <p>2 she's out there as a non-attorney engaging with</p> <p>3 potential fact witnesses and I feel like we should be</p> <p>4 entitled to full discovery of that activity.</p> <p>5 THE COURT: And this is in relation to the</p> <p>6 motion for sanctions that was decided by Judge Starr?</p> <p>7 MR. GILLIAM: Yes, Your Honor.</p> <p>8 MR. CORRELL: Correct.</p> <p>9 THE COURT: Is that what you reference,</p> <p>10 Mr. Gilliam?</p> <p>11 MR. GILLIAM: Yes, Your Honor.</p> <p>12 THE COURT: And Southwest's counsel just</p> <p>13 wants to know the names of the people that were -- that</p> <p>14 she -- she spoke to --</p> <p>15 MR. GILLIAM: Correct.</p> <p>16 THE COURT: -- with respect to Audrey?</p> <p>17 MR. CORRELL: Yes, Your Honor. What I am</p> <p>18 attempting to determine is who did Ms. Carter</p> <p>19 communicate with during the months of June and July of</p> <p>20 2020 about Audrey Stone in any way, and then to examine</p> <p>21 other than what information was provided about</p> <p>22 Ms. Stone's whereabouts, what else was discussed,</p> <p>23 because I think all of that is relevant to assessing</p> <p>24 those individuals as potential witnesses as well as</p> <p>25 potential biases they may have if they are called as</p> | <p>1 witnesses.</p> <p>2 MR. GILLIAM: And Your Honor, we agree that</p> <p>3 he can ask about the communications that pertain to</p> <p>4 Audrey Stone as long as we can exclude any</p> <p>5 communications about Audrey Stone's schedule and the</p> <p>6 subject matter in the motions for sanctions. We</p> <p>7 submitted in camera briefs at one point and the court</p> <p>8 denied their motion and decided against producing any</p> <p>9 of that information.</p> <p>10 MR. CORRELL: And the way this came to a</p> <p>11 head, Your Honor, is I am attempting to use Ms. Stone's</p> <p>12 publicly or Ms. Stone's declaration that was not filed</p> <p>13 in camera to say -- because when I first asked</p> <p>14 Ms. Carter who she had spoken to about Ms. Stone in</p> <p>15 June of 2020, she said nobody. I then read to her the</p> <p>16 language of her declaration which said on June 25th,</p> <p>17 2020, I spoke to a Southwest flight attendant or</p> <p>18 something to that effect, and then I was stopped from</p> <p>19 asking her to identify that person, and then when I</p> <p>20 tried to ask additional questions about the declaration</p> <p>21 in terms of who else was she communicating with so that</p> <p>22 I can find out what the other communications were,</p> <p>23 there was an instruction not to answer and so I don't</p> <p>24 know how I can not use her declaration submitted to the</p> <p>25 court under oath to refresh her recollection and just</p> |

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| <p>1 be stuck with her saying, "I don't remember," when I 2 have a clearly impeaching document on that point.</p> <p>3 MR. GILLIAM: And Your Honor, we have 4 agreed that, yeah, it should refresh her recollection 5 that she should -- that she had communications, but she 6 shouldn't have to divulge who those specific -- the 7 identities of the specific people she spoke about in 8 that affidavit which was attached to her response to 9 the motions for sanctions. And the people -- the court 10 asked Ms. Carter to identify that information in camera 11 and decided against releasing that information.</p> <p>12 THE COURT: Well, but I don't think the 13 question to Judge Starr was whether that information 14 should be released, was it?</p> <p>15 MR. GILLIAM: I think --</p> <p>16 THE COURT: Judge Starr did not have -- I 17 mean, the reason it was submitted in camera was in 18 connection with a different question and not whether 19 the defendant was trying to discover who she was 20 talking to about Ms. Stone's schedule. This was -- it 21 was submitted to him in camera in connection with 22 something else, not with respect to fact discovery.</p> <p>23 MR. GILLIAM: No, but our argument was that 24 that information's collateral to these proceedings. 25 And I think his order did -- did ask plaintiff to</p> | <p>1 address why that information should not be disclosed so 2 I think it was part of his order or his -- his, I 3 guess, order to address the issue.</p> <p>4 MR. CORRELL: I believe Judge Rutherford 5 was asking if you're meaning the September 2nd order 6 Mr. Gilliam.</p> <p>7 MR. GILLIAM: I think it was the 8 September 2nd order.</p> <p>9 THE COURT: So I don't see that his order 10 says anything, it just says that the motion for 11 sanctions is denied and denied request for attorney's 12 fees. It doesn't address -- even though the -- there 13 was a question presented whether Carter, Gilliam, and 14 anyone else associated with representing Carter should 15 be required to disclose who provided the confidential 16 information and disclose the documents, that was not -- 17 it was just that he entered the order and denied 18 sanctions.</p> <p>19 MR. GILLIAM: Oh. Your Honor, I think it 20 was actually earlier. Let's see. I think it was 21 earlier in August. I'm looking through here. Let's 22 see, this may be it, it may be document 113, Your 23 Honor, document number 113, it was dated July 30th.</p> <p>24 THE COURT: Is that an electronic order?</p> <p>25 MR. GILLIAM: Yes, Your Honor. It orders</p> |
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| <p>1 Carter and Gilliam to submit affidavits to the court 2 for in camera inspection stating all facts surrounding 3 how they obtained the information at issue and an 4 accompanying brief explaining why any particular 5 information is privileged or should not be disclosed to 6 other parties on a different basis.</p> <p>7 THE COURT: I don't see any order where he 8 said that -- where Judge Starr has ruled that the 9 information that Southwest Airlines is seeking is not 10 discoverable.</p> <p>11 MR. GILLIAM: Well, he doesn't specifically 12 say it's not discoverable.</p> <p>13 I'm sorry Your Honor?</p> <p>14 THE COURT: It sounds like Southwest is 15 asking Ms. Carter to identify a fact witness.</p> <p>16 MR. GILLIAM: Yes, and we agree that they 17 can -- they can ask her to identify, you know, who had 18 communications with Audrey Stone. We have no objection 19 to that. What we object to is just having her 20 specifically identify the identity of who gave her 21 information about Ms. Stone's schedule.</p> <p>22 MR. CORRELL: And again, Your Honor, the 23 way we ended up in this predicament is I started with 24 that question, I was told "no one," and then when I 25 attempted to use a sworn statement submitted to a</p> | <p>1 federal court, I was told I wasn't allowed to do that 2 even though that statement directly contradicted the 3 testimony of "no one."</p> <p>4 MR. GILLIAM: And I think it's fair that it 5 could be used to refresh her memory as to having 6 communications, but I don't think that she has to 7 disclose who she had those communications with on that 8 particular subject. If it doesn't refresh her memory 9 as to who she had communications with in general about 10 Audrey Stone, then we -- we don't think that it -- that 11 she should have to divulge who she specifically talked 12 to about Stone's schedule.</p> <p>13 THE COURT: I'm sorry, Mr. Gilliam, I don't 14 understand. Are you going to allow your client to 15 answer the first question that was posed to her that 16 sort of opened up this Pandora's box?</p> <p>17 MR. GILLIAM: Yes, I would allow her to 18 answer who did she have communications with about 19 Audrey Stone. If the question is who did you discuss 20 Audrey Stone's schedule with, I would object. And if 21 the question is who is the individual who's 22 identified -- who you spoke with that's identified in 23 your affidavit or alluded to in your affidavit, I would 24 object to that as well. But I have no objection to 25 Mr. Correll asking who did she discuss Audrey Stone</p> |

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| <p>1 with.</p> <p>2 THE COURT: Mr. Correll, do you want to ask</p> <p>3 the follow-up questions that Mr. Gilliam thinks you are</p> <p>4 going to ask?</p> <p>5 MR. CORRELL: No, no, Your Honor. Like I</p> <p>6 said, the problem I ran into was --</p> <p>7 THE COURT: Okay.</p> <p>8 MR. CORRELL: -- the first answer was "no</p> <p>9 one," and then when I presented the affidavit and said,</p> <p>10 okay, well, you told the court you did so who did you</p> <p>11 talk to, I was told I couldn't ask that question. And</p> <p>12 there's another paragraph, the next paragraph also</p> <p>13 references communicating with people about Audrey Stone</p> <p>14 and I -- I need to be able to ask who were you</p> <p>15 communicating with about Audrey Stone. I don't want to</p> <p>16 follow up and say well, is this the person who gave you</p> <p>17 X information. And I'll -- if he wants to instruct her</p> <p>18 not to answer about the scheduling aspect of it and she</p> <p>19 says, well, there was nothing else, well, I mean, I</p> <p>20 understand that it's admission by omission, but she</p> <p>21 communicated with potential fact witnesses and if</p> <p>22 that's all she talked to them about, I don't know how</p> <p>23 to work around this, but I need to know that.</p> <p>24 THE COURT: And, Mr. Gilliam, that's what</p> <p>25 you are going to instruct her not to answer?</p> | <p>1 MR. GILLIAM: Yeah, it's just that one</p> <p>2 specific issue who -- who are the people that she</p> <p>3 alludes to in her affidavit. That's -- that's what I</p> <p>4 do not want her to answer. I am okay with her</p> <p>5 answering who did you speak to Ms. Stone -- who did you</p> <p>6 speak to about Ms. Stone.</p> <p>7 MR. CORRELL: I just don't know what to do,</p> <p>8 Your Honor, when she says "no one" and I've got a sworn</p> <p>9 statement that says she did.</p> <p>10 THE COURT: Well, I think as this has been</p> <p>11 fleshed out a little bit, that Ms. Carter maybe want to</p> <p>12 reconsider her answer "no one" and she may have -- on</p> <p>13 hearing all of this or having the question explained to</p> <p>14 her by her attorney will understand that she can say</p> <p>15 someone and she can name the person that she talked to.</p> <p>16 She can answer the question that you initially posed.</p> <p>17 MR. CORRELL: Understood, Your Honor, and</p> <p>18 will carefully circumscribe the question to make sure</p> <p>19 that I notify the witness that she is not to disclose</p> <p>20 the substance of communications regarding Audrey</p> <p>21 Stone's schedule specifically in response to any of my</p> <p>22 questions.</p> <p>23 THE COURT: Okay. I think -- I think</p> <p>24 that's where it is. I think the attorneys are getting</p> <p>25 a step or two ahead of themselves.</p> |
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| <p>1 MR. GILLIAM: It could be.</p> <p>2 THE COURT: Go back to square one. It is</p> <p>3 Friday. It is the middle of a pandemic. I do</p> <p>4 appreciate the stress that everyone's under, but I feel</p> <p>5 like in talking to you that maybe we could just have a</p> <p>6 do over, a mulligan, and try again and see if we get</p> <p>7 further. I'm happy to stay on the line if you want to</p> <p>8 ask these questions and let me listen for a little bit.</p> <p>9 I also think that the attorneys have</p> <p>10 reached a bit of an understanding. You may be able to</p> <p>11 continue without my assistance, but I'm happy to do</p> <p>12 whatever it takes to get this completed today.</p> <p>13 MR. CORRELL: In the interest of</p> <p>14 efficiency, Your Honor, if you could give me five</p> <p>15 minutes on the line I think we can get through this and</p> <p>16 cut you loose without having to bother you a second</p> <p>17 time.</p> <p>18 THE COURT: Sure. Sure.</p> <p>19 MR. CORRELL: Is that okay with you,</p> <p>20 Mr. Gilliam?</p> <p>21 MR. GILLIAM: Yes, that is, that is. I</p> <p>22 appreciate that too, Your Honor.</p> <p>23 THE COURT: Of course.</p> <p>24 MR. CORRELL: And Mr. Hendrick, are we</p> <p>25 still on the record?</p> | <p>1 THE REPORTER: Yes.</p> <p>2 BY MR. CORRELL:</p> <p>3 Q. And Ms. Carter, you've had the benefit of</p> <p>4 listening to all of our communications here. So the</p> <p>5 question to you is who did you communicate with in June</p> <p>6 2020 about Audrey Stone?</p> <p>7 A. I -- it would be Dawn Wann.</p> <p>8 Q. Anyone else that you communicated with in</p> <p>9 June 2020 about Audrey Stone?</p> <p>10 A. It may have been a friend of mine, Alyssa,</p> <p>11 in passing, Alyssa.</p> <p>12 Q. Do you know what her last name is?</p> <p>13 A. I believe her new last name is Rosetti.</p> <p>14 Q. In your communications with Ms. Wann about</p> <p>15 Audrey Stone in June of 2020, did you communicate about</p> <p>16 anything having to do with the allegations in your</p> <p>17 lawsuit -- or excuse me -- about Ms. Stone's role in</p> <p>18 your lawsuit other than anything having to do with her</p> <p>19 schedule?</p> <p>20 A. Repeat that? I'm sorry.</p> <p>21 Q. It was a bad question.</p> <p>22 Other than communicating with Ms. Wann</p> <p>23 about Ms. Stone's schedule, which I do not know you did</p> <p>24 or did not do, did you have any communications -- what</p> <p>25 were -- what were your communications with Ms. Wann</p> |

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| 1 about concerning Ms. Stone? | 1 other than passively receiving unsolicited information? |
| 2 A. I just talked about her base, where she | 2 A. Correct. I did receive some information |
| 3 might be based at. | 3 but it was from an anonymous source. |
| 4 Q. Okay. In communicating with Ms. Rosetti in | 4 Q. Did you have any communications back with |
| 5 June of 2020 about Ms. Stone, other than communications | 5 those individuals or did you just receive that |
| 6 regarding Ms. Stone's whereabouts, what was the nature | 6 information and there was no further communication |
| 7 of your communications with Ms. Rosetti? | 7 about this? |
| 8 A. It was the same, it was about if she knew | 8 A. Absolutely, there was no more |
| 9 where maybe she was based at. | 9 communication. |
| 10 Q. In July of 2020, did you communicate with | 10 Q. Okay. |
| 11 anyone about Audrey Stone? | 11 MR. CORRELL: Judge Rutherford, I think |
| 12 A. No, I didn't communicate with anybody about | 12 that exhausts this line of questioning and that was all |
| 13 Audrey Stone. | 13 of the help we needed. |
| 14 Q. When you say you don't know -- when you use | 14 THE COURT: All right. Well, thank you |
| 15 the word "communicate," what are you meaning there? | 15 very much. I'm glad you called me and have a good |
| 16 A. I didn't talk to anybody or, you know, | 16 weekend. |
| 17 communicate about Audrey Stone. | 17 MR. CORRELL: You too. Thank you, Judge. |
| 18 That -- are you talking about me now asking | 18 MR. GILLIAM: Thank you. |
| 19 again where she might be based? | 19 THE COURT: All right. Good-bye. |
| 20 Q. No, ma'am. So again, referencing your | 20 BY MR. CORRELL: |
| 21 declaration previously provided to the court, you told | 21 Q. So when the judge called, Ms. Carter, I |
| 22 the court you received "unsolicited information" from | 22 believe I had just introduced a new exhibit to you and |
| 23 two other people? | 23 that would be Exhibit 12, I believe. Do you have that |
| 24 A. Yes, I did. | 24 document in front of you? |
| 25 Q. Did you have any communications with them | 25 A. I do. |
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| 1 Q. Do you recognize that document? | 1 from him? |
| 2 A. I do. | 2 A. Actually I would have hoped that he would |
| 3 Q. What is that document? | 3 have responded because it was another -- taking out our |
| 4 A. That is a document to Jim Little who was | 4 board members by international, and we had elected our |
| 5 the international president of TWU at the time. | 5 board members and there was no reason for |
| 6 Q. Why did you send this email? | 6 international -- we're supposed to have autonomy within |
| 7 A. Well, let me re-read all of it. | 7 our local membership, and they came in and did the |
| 8 Q. Please take your time. | 8 exact opposite and took out our board members. |
| 9 A. Okay. This had to do with the coup that | 9 (Deposition Ex. 13 marked) |
| 10 went on to remove Stacy Martin, Chris Click, Jerry | 10 BY MR. CORRELL: |
| 11 Lindermann, and Dawn Wann, and also Jana Deloache and | 11 Q. Next I am going to show you what will be |
| 12 the rest of the board. | 12 marked as Exhibit 13 to your deposition. |
| 13 Q. How many messages like this one did you | 13 A. Okay. |
| 14 send to Mr. Little? | 14 Q. When you see that document, let me know. |
| 15 A. I sent -- not like this but I sent some | 15 A. Okay. Okay. |
| 16 messages to Jim Little about how he -- let's put it | 16 Q. Do you recognize that document? |
| 17 this way: I've known Jim Little for a long time. He | 17 A. I sure do. |
| 18 used to be our liaison. He was part of a trial that I | 18 Q. What is that document? |
| 19 actually was a part of along with another board member | 19 A. That is a document soliciting my vote for |
| 20 that was illegally removed, and this had happened again | 20 Thom McDaniel for a delegate position. |
| 21 with our duly elected president, vice president and so | 21 Q. Why did you send this email? |
| 22 on. | 22 A. Because I wanted him to know that I was not |
| 23 Q. Did you get a response? | 23 going to be voting for him and he -- he knows the |
| 24 A. Don't believe I got a response from him. | 24 reason why. |
| 25 Q. Do you -- were you expecting a response | 25 Q. What's the reason why? |

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| <p>1 A. I testified against him during Melissa 2 Smith's trial when they removed her illegally and she 3 won her trial. Ever since then, Thom McDaniel has 4 basically threatened my job from there.</p> <p>5 Q. How did Thom McDaniel threaten your job?</p> <p>6 A. When I was -- this has been almost, what, 7 20 years ago, he removed a duly elected president 8 illegally, and I testified for her in that, and through 9 that entire time he has threatened my job.</p> <p>10 Q. How? What did he do?</p> <p>11 A. What did he do? He --</p> <p>12 Q. What did he do to threaten your personal 13 job?</p> <p>14 A. He told me that I need to basically watch 15 my back as time went on, that he --</p> <p>16 Q. When did he tell you that?</p> <p>17 A. I'm sorry?</p> <p>18 Q. When did he tell you to watch your back?</p> <p>19 A. It was during the trial of Melissa Smith.</p> <p>20 Q. Who was present besides you and 21 Mr. McDaniel?</p> <p>22 A. Nobody at that time because we were all 23 sitting out at the witness area.</p> <p>24 Q. And did you report Mr. McDaniel's comments 25 to anybody?</p> | <p>1 A. The only person that I reported that to 2 would have been Melissa Smith who was at that time 3 supposed to be our president, but he then went back and 4 they had a meeting and filed charges under Article 21 5 and removed her completely from being our union 6 president.</p> <p>7 Q. You said twenty years ago, this would have 8 been around the year 2000?</p> <p>9 A. Yes. 2000-2001. I -- oh. And then the 10 last trial for her, it took about three years and she 11 won her trial. They removed her illegally.</p> <p>12 Q. So between 2000 and 2003, when did 13 Mr. McDaniel allegedly say, "Watch your back"?</p> <p>14 A. It was during the first portion of her -- 15 I'm not sure if it was the arbitration -- not 16 arbitration -- mediation or if it was the actual trial. 17 I can't remember. It was all -- I just don't remember 18 exactly when that was.</p> <p>19 Q. And in the more than 10 years between that 20 date and when you sent this email in 2013, other than 21 saying "watch your back" on one occasion, what else did 22 Mr. McDaniel do to threaten your job, if anything?</p> <p>23 A. I knew that he had spoken ill about me 24 through the union, in the union office, and during his 25 administration for about two and a half years I -- I</p> |
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| <p>1 was paying dues and they were coming out of my checking 2 account and I had proof of this, but every time I'd 3 call -- somehow or another during his administration I 4 kept getting emails from the union saying that if I 5 didn't come up with all of my dues, that I was gonna -- 6 I could get fired because if you don't pay your dues 7 they can get you fired. I had been paying my dues, 8 come -- come to find out after having a meeting with 9 John Parrott and also Michael Massoni, after this had 10 been going on for almost two years, found out I had 11 overpaid my dues. And I don't know who all was behind 12 that, but it was very odd that my dues were not being 13 put in my specific -- showing that I had paid, when my 14 check had my name on it, my employee number, and, you 15 know, where I was based on it, and they were cashing my 16 checks because I had a whole reference sheet regarding 17 that from my bank, and even John Parrott couldn't 18 figure out why my dues were not showing up within my -- 19 you know, under my name and so forth. So I don't know 20 who was doing that, but it was very odd and it was 21 under his administration, Thom McDaniel's.</p> <p>22 Q. And --</p> <p>23 A. And I was also being trashed in the context 24 and I've got witnesses to that in the union office.</p> <p>25 Q. By whom?</p> | <p>1 A. Well, when Kent Hand was working in there, 2 basically Thom McDaniel's word for me because my last 3 name used to be Batts, that is my maiden name, he would 4 say that I was the bat-shit crazy woman out there 5 because I always was -- you know, when I'd go to union 6 meetings I would confront him on the things that the 7 union was or was not doing for its own membership or 8 spending our money doing certain things. And his 9 leadership harmed many.</p> <p>10 Q. Were you still a union member at the time 11 you sent this email?</p> <p>12 A. In 2013? I -- I can't see the date on 13 there. I think I resigned my -- does that say eight or 14 five? Because I can't see it.</p> <p>15 Q. I'm sorry. It says August 3rd, 2013.</p> <p>16 A. Okay. That is before I resigned. I 17 believe it was in September of 2013 that I -- September 18 or October of 2013. He was running for a delegate 19 position and so was I.</p> <p>20 Q. So why send him this email as opposed to 21 just not voting for him? What were you hoping to 22 accomplish?</p> <p>23 A. I had asked him prior not to ever send me 24 anything.</p> <p>25 Q. I'd like you to scroll down to the very</p> |

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| <p>1 bottom of this document. Do you see where it says, "If 2 you wish to Unsubscribe from this candidate's emails, 3 please click on the following link: Unsubscribe"?</p> <p>4 A. And I did that after I sent him my message.</p> <p>5 Q. Why did you feel it necessary to send that 6 message if all you had to do was click the link and 7 unsubscribe?</p> <p>8 A. Well, if you can go back and read some of 9 the things that he had said about me while I was 10 running for the delegate and then send me this email, I 11 wanted him to know that I knew basically about what he 12 was saying about me in a -- just as a no vote for him 13 and that we would be cancelling each other out.</p> <p>14 He was trashing my name, along with Brian 15 Talbert, and Brian Talbert had said that, Charlene -- 16 and he got my last name wrong, but Carter-Bettis, which 17 is supposed to be Batts, should not have anything to do 18 with TWU International and she will never hold a 19 position.</p> <p>20 Q. Next I'd like to show you what will be 21 marked as Exhibit 14 to your deposition. Let me know 22 when you can see that.</p> <p>23 A. Okay.</p> <p>24 (Deposition Ex. 14 marked)</p> <p>25 A. Okay. I've never seen this one before.</p> | <p>1 I'm not sure -- yeah, that's from Brett Nevarez. 2 BY MR. CORRELL:</p> <p>3 Q. So is this -- do you know if this is a 4 document that you collected and provided for production 5 or do you know if it came from somewhere else?</p> <p>6 A. I -- you know what? I don't know where 7 this one came from to be quite honest with you.</p> <p>8 Q. That's fine. That makes it a short exhibit 9 that we don't spend much more time on. I have a couple 10 more where I just need to know what the documents are 11 and that's what we're running through here. So...</p> <p>12 A. Okay.</p> <p>13 MR. GILLIAM: And counsel, did you get the 14 email that Jeff Jennings sent you?</p> <p>15 MR. CORRELL: I did. What I'm planning to 16 do, if you don't mind, is I am going to finish this 17 last little piece and take a break to look at that and 18 wrap up, and then I should be done.</p> <p>19 MR. GILLIAM: Sure.</p> <p>20 (Deposition Ex. 15 marked)</p> <p>21 BY MR. CORRELL:</p> <p>22 Q. So next you should see Exhibit 15, 23 Ms. Carter.</p> <p>24 A. Okay.</p> <p>25 Q. Let me know when you can see that document.</p> |
| Page 211 | Page 212 |
| <p>1 A. Yeah. I -- and I don't know who -- who 2 sent this document.</p> <p>3 Q. Okay.</p> <p>4 A. I mean I know it's Brian and that would be 5 Brian Talbert.</p> <p>6 Q. Do you know who the typing is in the box 7 down here that is on the message that wasn't sent?</p> <p>8 A. No, I don't.</p> <p>9 Q. Okay. And you don't know where this came 10 from?</p> <p>11 A. No, I do not.</p> <p>12 Q. All right. Next we have Exhibit 16.</p> <p>13 A. Okay.</p> <p>14 (Deposition Ex. 16 marked)</p> <p>15 BY MR. CORRELL:</p> <p>16 Q. When you have that in front of you, let me 17 know.</p> <p>18 A. Yes, this is from Mike Casper, this is not 19 one that I remember either. But he was a victim of 20 harassment.</p> <p>21 Q. Who is Mike Casper?</p> <p>22 A. He's a flight attendant at Southwest, or 23 was.</p> <p>24 Q. Do you know, did he leave voluntarily or 25 was he terminated?</p> | <p>1 A. No, he -- he left voluntarily. He just 2 took the early out.</p> <p>3 Q. Do you contend that any aspect of the posts 4 that we've talked about today were the product of 5 someone else posting on your Facebook?</p> <p>6 A. This didn't come from my Facebook.</p> <p>7 Q. No, no, I understand that. I just want to 8 make sure that you're not also claiming that someone 9 else used a fake profile of yours or anything of that 10 nature.</p> <p>11 A. No, it had happened to me a couple of 12 times, but this one was very egregious. This one -- 13 yeah, this one -- this one was bad and they proved it 14 through the FBI that Jeanna and Mike were harmed 15 horribly. This was a fake conversation and -- and 16 still the company has not been able to let them know 17 exactly who did this. They got the -- they got the law 18 involved in this one. And yes, it has happened to me 19 and yes, it has happened to others.</p> <p>20 Q. When did it happen to you?</p> <p>21 A. Well, it was -- it was one I know of before 22 I got fired, but then there was another one after I got 23 fired and they either took the post from something else 24 prior to that and put it on another feed, because you 25 can capture these things and then paste them or they</p> |

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| <p>1 took my words from something else and recreated it.</p> <p>2 Q. To your knowledge --</p> <p>3 A. This isn't -- this isn't -- this isn't the</p> <p>4 first time this has happened and this is -- this is the</p> <p>5 problem with social media because some of it is not</p> <p>6 true and these two people right here were harmed</p> <p>7 horribly by this.</p> <p>8 Q. And my question to you, Ms. Carter, is do</p> <p>9 you contend that any of the social media that was</p> <p>10 presented to you during your fact-finding or your</p> <p>11 step 2 was not your social media?</p> <p>12 A. No. My -- what -- and I'm fessing up to</p> <p>13 it, I -- yes, the stuff that was on my personal</p> <p>14 Facebook page, my pro life stuff, yes, that was on</p> <p>15 my -- my Facebook page.</p> <p>16 (Deposition Exs. 17 and 18 marked)</p> <p>17 BY MR. CORRELL:</p> <p>18 Q. Ms. Carter, I -- I will skip Exhibit 17</p> <p>19 because that was accidental. Exhibit 18 will be the</p> <p>20 next one we look at.</p> <p>21 A. Okay. Okay. I cannot see those. Let's</p> <p>22 see.</p> <p>23 Q. And I think the best way to handle this,</p> <p>24 just because I can't give you paper copies that would</p> <p>25 be larger, is if you can control and zoom in a little</p> | <p>1 bit you should be able to see -- I'm focused on the</p> <p>2 first page here.</p> <p>3 A. Okay.</p> <p>4 Q. Do you -- first of all, is this a text</p> <p>5 message from you? It says "me" at the top, I don't</p> <p>6 know who "me" is.</p> <p>7 A. No, this is not a text message from me. I</p> <p>8 can't -- I can't hardly read these. I'm sorry.</p> <p>9 Q. And without getting into the substance of</p> <p>10 it, do you recognize what program that information came</p> <p>11 from or what system it came from? I just have no idea</p> <p>12 what this is. It looks like it may be internal union</p> <p>13 grievance materials --</p> <p>14 A. Okay.</p> <p>15 Q. -- and I'm trying to figure out where this</p> <p>16 came from.</p> <p>17 A. I -- that I don't know.</p> <p>18 Q. Can you --</p> <p>19 A. This was actually being -- this was</p> <p>20 actually being passed around and somebody sent this to</p> <p>21 me and it was anonymous.</p> <p>22 Q. So you received this?</p> <p>23 A. Yeah, I received a -- yeah, I received</p> <p>24 these two pieces of paper, but I don't know where they</p> <p>25 came from.</p> |
| Page 215 | Page 216 |
| <p>1 Q. Well, when you say someone sent this to</p> <p>2 you, did they actually send the messages to you or did</p> <p>3 you just get the documents?</p> <p>4 A. No, this was on -- okay. So on Facebook</p> <p>5 Messenger, anybody can send you, I mean, anything on</p> <p>6 Facebook Messenger, and it just happened to be one that</p> <p>7 I clicked on to because it's like an email, and so I</p> <p>8 clicked on to this and somebody, I don't know who sent</p> <p>9 this to me, but it was being passed around with the</p> <p>10 flight attendants.</p> <p>11 Q. Do you know why it was being passed around?</p> <p>12 A. The only reason I can think of is that --</p> <p>13 okay. In looking back at this one, I do believe Brett</p> <p>14 was speaking about my case and some other people's</p> <p>15 cases, which he wasn't supposed to be talking about,</p> <p>16 and somebody turned him in. I -- I don't know who</p> <p>17 turned him in, but somebody turned him in. I was</p> <p>18 already gone by this point.</p> <p>19 Q. So you're talking --</p> <p>20 A. And it -- and it shows the -- it shows the</p> <p>21 different treatment. I -- I -- you know, different</p> <p>22 treatment when it comes to Brett Nevarez and other</p> <p>23 people.</p> <p>24 Q. Do you know why it has this format with</p> <p>25 "Tuesday, July 16, 2019" at the top and time stamped?</p> | <p>1 A. No, I do not.</p> <p>2 Q. Is this something you personally collected</p> <p>3 off of a website?</p> <p>4 A. No. I can't get on any of those websites.</p> <p>5 I'm blocked from all those. I don't have a way to get</p> <p>6 on any of those websites. If you're speaking about,</p> <p>7 you know, Southwest or -- and nobody can get on union</p> <p>8 websites, so, I mean, I don't know where this came</p> <p>9 from.</p> <p>10 Q. Okay.</p> <p>11 MR. CORRELL: Counsel, let's take a</p> <p>12 15-minute break so I can look at those documents and</p> <p>13 then if I don't have anything, I'll be passing the</p> <p>14 witness.</p> <p>15 MR. GILLIAM: Okay. Sounds good.</p> <p>16 VIDEOGRAPHER: We are going off the record</p> <p>17 at 3 o'clock p.m.</p> <p>18 (Break from 3:00 p.m. until 3:13 p.m.)</p> <p>19 VIDEOGRAPHER: We are going back on the</p> <p>20 record at 3:13 p.m.</p> <p>21 BY MR. CORRELL:</p> <p>22 Q. Ms. Carter, while we were off the record</p> <p>23 your counsel indicated that you wanted to provide</p> <p>24 additional clarification on Exhibit 18. Can you please</p> <p>25 go ahead and provide that information?</p> |

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| <p style="text-align: center;">Page 217</p> <p>1 A. Yes. Yes. When it did say "me" on here, 2 that is from me. That went to Dawn Wann. So it was a 3 text message. I couldn't read it, and this had been 4 being passed around. So I did send it to Dawn since 5 she had been on the board before.</p> <p>6 Q. So I make sure I understand kind of the 7 pathway here correctly, so you took this screenshot 8 from a website and then put it into a text message to 9 Ms. Wann?</p> <p>10 A. I didn't take the screenshot. The 11 screenshot was actually sent to me, and I don't know if 12 it was anonymously sent to me on Facebook through 13 Messenger, and that's when -- and like I said, it was 14 being passed around, and then I sent it to Don that 15 evening.</p> <p>16 Q. Do you still have a copy of the anonymous 17 Facebook message that you received and passed around?</p> <p>18 A. No, I go through -- I go through my 19 Facebook thing because I get junk all the time on there 20 and just erase them so I just -- you can -- you can 21 erase them just like an email.</p> <p>22 Q. So you destroyed that document?</p> <p>23 A. Well, it's the text document right here, 24 but yeah, this is how it came to me.</p> <p>25 Q. Are there other email -- are there other</p> | <p style="text-align: center;">Page 218</p> <p>1 messages you've received concerning disciplinary 2 matters at 556 that you received in Messenger?</p> <p>3 A. No, this is the only one, and I think it's 4 because it had -- the original post -- because I 5 remember the post that Brett Nevarez put out there and 6 he had referenced my case and so I think that's the 7 reason somebody sent this to me.</p> <p>8 Q. And when you say you received an anonymous 9 message through Messenger, who did it identify as 10 sending the message?</p> <p>11 A. It just always is a random, a random name, 12 like -- you know, it can be anybody. I get messages 13 from -- and I know this sounds awful, but it's true, 14 it's almost like a dating site these days where if they 15 see your Facebook, they send you messages. I've had 16 people ask me out on Facebook that I don't even know.</p> <p>17 Q. What was the random name on the message?</p> <p>18 A. I don't remember what this one is. All I 19 know is that I clicked on it and it said, "For your 20 eyes," and I read it and this is what it said.</p> <p>21 Q. Did you respond to that message?</p> <p>22 A. No, I did not.</p> <p>23 Q. So you -- just so I understand your 24 testimony, you received an allegedly anonymous message 25 containing information from 556 about discipline.</p> |
| <p style="text-align: center;">Page 219</p> <p>1 You --</p> <p>2 A. It wasn't -- I mean, I don't --</p> <p>3 Q. Let me -- I want to try and understand your 4 testimony, Ms. Carter.</p> <p>5 A. I'm sorry?</p> <p>6 Q. I want to make sure I understand your 7 testimony that we are clarifying here.</p> <p>8 A. Okay.</p> <p>9 Q. So you received an anonymous message 10 through Facebook Messenger from a person you didn't 11 know containing disciplinary information about, it 12 appears to be Chris Click, from a 556 system. You took 13 that information, relayed it to Ms. Wann, but destroyed 14 the anonymous email?</p> <p>15 A. The -- it just has -- it just has a funky 16 name to it. All it -- that's all it did. I don't know 17 who sent this to me. But I did -- yeah, I mean, it was 18 being passed around. Somebody had put it also I think 19 out on ONE LUV at some point, and then they took it 20 down. So I don't know who sent this. All I know is 21 that it -- it was in response to a social media thing 22 that Brett Nevarez had put out, and it was showing my 23 case, I think it was Jerry Lindermann and Chris Click's 24 case, my friend Kent Hand's case which Brett Nevarez 25 had a nondisclosure to not talk about that case.</p> | <p style="text-align: center;">Page 220</p> <p>1 Q. To make it clear, the message you are 2 talking about was Mr. Nevarez talking about federal 3 lawsuits, correct, not internal disciplinary documents?</p> <p>4 A. Correct, they were federal lawsuits.</p> <p>5 Q. Whereas this appears to be internal 6 disciplinary documents from within the union, correct?</p> <p>7 A. I didn't know where the internal discipline 8 document came from. I'm trying to tell you that. All 9 I know is that somebody sent it to me, because it had 10 referenced to me and all the other people that he was 11 talking about. And so I sent it to Dawn to find out, 12 you know, do you know anything about this and she said 13 no, she said she'd heard that it had been going around.</p> <p>14 Q. When did you receive this document via 15 Facebook Messenger?</p> <p>16 A. Oh gosh, it's been a long time ago. I 17 don't even know --</p> <p>18 Q. Close in time when you sent it to Ms. Wann?</p> <p>19 A. I'm sorry?</p> <p>20 Q. Close in time to when you sent it to 21 Ms. Wann?</p> <p>22 A. It probably would have been within a few 23 days after I got a message, I mean, because I don't 24 check my messages daily on Facebook.</p> <p>25 Q. And how long after you sent this to</p> |

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| <p>1 Ms. Wann did you delete the Facebook Messenger message?</p> <p>2 A. I delete my Facebook Messenger messages</p> <p>3 pretty much every day.</p> <p>4 Q. Well, it --</p> <p>5 A. If I get -- if I get on it. You know, if</p> <p>6 I'm looking at my messages I just go back and delete</p> <p>7 them, otherwise it's just like a bunch of emails.</p> <p>8 Q. So are you under the understanding that you</p> <p>9 have an obligation in connection with this lawsuit to</p> <p>10 preserve documents and data concerning your case?</p> <p>11 A. I did. This is a document.</p> <p>12 Q. Are there other documents of this nature</p> <p>13 that were sent to you via Facebook Messenger that you</p> <p>14 have destroyed?</p> <p>15 A. No.</p> <p>16 Q. Are there other communications about your</p> <p>17 lawsuit -- are there communications about your lawsuit</p> <p>18 that you received through Facebook Messenger that you</p> <p>19 have destroyed?</p> <p>20 A. No.</p> <p>21 Q. Are there communications about Audrey Stone</p> <p>22 that you received through Facebook Messenger that you</p> <p>23 have destroyed?</p> <p>24 A. No.</p> <p>25 Q. So this is the one and only document that</p> | <p>1 you have ever received having anything to do with this</p> <p>2 case that you destroyed?</p> <p>3 A. That I destroyed? I didn't know that I was</p> <p>4 destroying it. This is the document that I received.</p> <p>5 Q. Correction. The Facebook message from the</p> <p>6 anonymous sender is the only document you believe you</p> <p>7 have destroyed that concerns --</p> <p>8 A. Yes. Yes.</p> <p>9 Q. -- Southwest Airlines discipline --</p> <p>10 A. Yes, because I've given everything over to</p> <p>11 my attorney.</p> <p>12 Q. And again, you couldn't tell me when you</p> <p>13 got this relative to when you sent this to Ms. Wann.</p> <p>14 So presumably you didn't delete it immediately because</p> <p>15 you took time to send it to Ms. Wann, correct?</p> <p>16 A. No. Whenever I looked at the message it</p> <p>17 was -- you know, obviously I sent it on to her from the</p> <p>18 time I got it. But I'm saying I don't remember -- you</p> <p>19 asked me when I had gotten that message, I don't really</p> <p>20 remember exactly the date that I got this message, but</p> <p>21 when I read it, yeah, I would have send it on to her to</p> <p>22 ask her, hey, you know, what do you think of this?</p> <p>23 Q. Did she give you any responses to receiving</p> <p>24 this information from you?</p> <p>25 A. She -- no. She said that she had already</p> |
| Page 223 | Page 224 |
| <p>1 seen it, that it had been being passed around on -- it</p> <p>2 was either on ONE LUV -- it was somewhere on one of the</p> <p>3 union Facebook pages.</p> <p>4 Q. Did you ever see it in any other location</p> <p>5 besides the anonymous message that you received?</p> <p>6 A. It was in a thread I think, but that has</p> <p>7 been -- that's been taken down. So whoever is the</p> <p>8 admin in that particular, you know, Facebook page or</p> <p>9 whatever I think they had taken it done because I don't</p> <p>10 know if that's -- I mean, I think Brett probably told</p> <p>11 them to take it down at some point.</p> <p>12 Q. Okay.</p> <p>13 MR. CORRELL: Well, thank you for that</p> <p>14 clarification Ms. Carter. I pass the witness.</p> <p>15 MR. GREENFIELD: Am I up to bat here?</p> <p>16 MR. GILLIAM: Yes.</p> <p>17 EXAMINATION</p> <p>18 BY MR. GREENFIELD:</p> <p>19 Q. Okay. While we're on Exhibit 18,</p> <p>20 Ms. Carter -- and I'm sorry, my name is Adam Greenfield</p> <p>21 and I'm one of the counsels for TWU Local 556 in this</p> <p>22 matter. Do you understand who I am and whom I</p> <p>23 represent?</p> <p>24 A. Yes.</p> <p>25 Q. And do you understand that you are still</p> | <p>1 under oath at this time?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. While we're on Exhibit 18, I would</p> <p>4 request that through you and counsel work together, I</p> <p>5 believe there's a download history function on your</p> <p>6 Facebook. If it's possible to produce that document or</p> <p>7 retrieve that document and produce it in its native</p> <p>8 format, I would ask that y'all do that.</p> <p>9 MR. GILLIAM: We will look into it.</p> <p>10 A. Yeah, because I've never heard of anything</p> <p>11 like that.</p> <p>12 BY MR. GREENFIELD:</p> <p>13 Q. Okay. I will do my best to send some</p> <p>14 instructions on how to do that to your counsel for your</p> <p>15 counsel to share with you.</p> <p>16 A. Okay.</p> <p>17 MR. GILLIAM: Please do. Yes.</p> <p>18 MR. GREENFIELD: Okay. Thank you, guys.</p> <p>19 BY MR. GREENFIELD:</p> <p>20 Q. Ms. Carter, is it my understanding that as</p> <p>21 part of your lawsuit you believe that Audrey Stone</p> <p>22 tried to get you fired from your position at Southwest</p> <p>23 Airlines?</p> <p>24 A. Did she try to get me fired?</p> <p>25 Q. That she tried to do that.</p> |

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| <p>1 A. Yeah, she tried to get me fired and she 2 did.</p> <p>3 Q. Okay. And why do you believe that, why do 4 you think she did that?</p> <p>5 MR. GILLIAM: Objection. Calls for 6 speculation but go ahead and answer.</p> <p>7 A. Because I was dissenting against what they 8 were doing as the union and that I had issues with -- I 9 was a recall person, I had also opted out. There was 10 much hate for the people that had opted out and much 11 hate for the people that were supporting the recall.</p> <p>12 BY MR. GREENFIELD:</p> <p>13 Q. Okay. So you believe that Ms. Stone tried 14 to get you fired from Southwest Airlines because you 15 were an objector, you opted out of the union, and 16 because you took a stance in the recall effort, is that 17 fair?</p> <p>18 A. That is correct.</p> <p>19 Q. Okay. And when did you become an objector?</p> <p>20 A. I became an objector in 2013.</p> <p>21 Q. Okay. And what does that mean to you that 22 you are an objector?</p> <p>23 A. The objector means that I still pay dues to 24 the local, that the only thing that doesn't get taken 25 out of my check which I would get a refund back to or</p> | <p>1 from was international and that had to do with, 2 quote-unquote, supposed political purposes. Okay? 3 The reason I opted out or was an objector 4 was because I didn't support the things that TWU 5 International, AFL-CIO, and our local at the time were 6 supporting.</p> <p>7 Another reason that I was an objector was 8 because of the coup that went on again to remove our 9 duly elected representatives. This had happened twice 10 once with Melissa Smith and then again with Chris 11 Click, Jerry Lindermann, and Stacy Martin. Okay? 12 There was no reason to remove these duly elected 13 representatives.</p> <p>14 And then on top of that -- but my dues 15 still paid for local stuff that they did, so I still 16 paid full dues, I got a check back from international 17 every quarter for about \$27 and change, and then I 18 couldn't go to any union meetings and I couldn't vote 19 on anything. But my voice still stood as they're still 20 collecting my dues.</p> <p>21 I was called a scab. I was -- they -- they 22 passed around and entire list of all of us that had -- 23 were the ones that were the objectors and the 24 recall people. We were all the ones that were targeted 25 by Audrey Stone and her administration and the people</p> |
| Page 227 | Page 228 |
| <p>1 that supported her, and were all the ones that were 2 turned in for all kinds of -- all kinds of things. So 3 this was a way for her to get me fired.</p> <p>4 Q. Okay. Thank you for that, Ms. Carter. 5 What I'd like to focus on out of that 6 testimony is that in 2013 when you became an objector, 7 you were no longer a member of the union, correct?</p> <p>8 A. I'm an objector but I still pay dues.</p> <p>9 Q. Okay. But as part of that, you are not 10 allowed to vote, correct?</p> <p>11 A. I just said that, yes, not allowed a vote.</p> <p>12 Q. And you're not allowed to attend union 13 meetings?</p> <p>14 A. Correct.</p> <p>15 Q. And that has been since 2003?</p> <p>16 A. Correct -- '13.</p> <p>17 Q. Okay. Since 2013. Excuse me.</p> <p>18 Now as far as the recall efforts go, there 19 was a petition, correct, are you aware of that?</p> <p>20 A. Oh yes. Yes.</p> <p>21 Q. And you aren't actually allowed to be a 22 part of that petition or sign that petition as an 23 objector, correct?</p> <p>24 A. No, I wasn't able to sign the petition, but 25 I can still voice my opinion on that petition.</p> | <p>1 Q. Oh, when you say voice your petition, in 2 what way?</p> <p>3 A. I supported the people that were recalling 4 our board and was vocal about it.</p> <p>5 Q. Okay. And what information are you basing 6 your account of that Ms. Stone would be aware that you 7 were part of the recall efforts if you weren't actually 8 able to sign that petition?</p> <p>9 A. Because they had a list of all the people 10 that were talking about the recall.</p> <p>11 Q. Who had a list?</p> <p>12 A. The union.</p> <p>13 Q. Who at the union?</p> <p>14 A. The actual -- the actual people within the 15 union such as Audrey, Brett, Cuyler. They -- they had 16 a whole list that was made up of all the people that 17 were the objectors that they passed around to the 18 membership and the recall people.</p> <p>19 Q. Is this a document you have seen?</p> <p>20 A. It is a document, yes, that I have seen.</p> <p>21 It was posted on all of the Facebook pages that we were 22 all connected to within that time period.</p> <p>23 Q. Do you have this document?</p> <p>24 A. I believe I've given it to my attorneys, 25 yes.</p> |

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| <p>1 Q. And you provided it to your counsel?</p> <p>2 A. I believe he's got it, yes.</p> <p>3 Q. Okay. And do you know who created this</p> <p>4 document?</p> <p>5 A. I know at one point Don Shipman had done</p> <p>6 it, and then I believe that Brett Nevarez and Brian</p> <p>7 Talbert wanted the names distributed and they talked</p> <p>8 about this.</p> <p>9 Q. All right. Who is Don Shipman?</p> <p>10 A. Don Shipman was someone else I don't</p> <p>11 remember what all he did for the union. I think he was</p> <p>12 part of the negotiating team at one point, along with</p> <p>13 Brett Nevarez and Audrey Stone.</p> <p>14 Q. Okay. And so what is the basis of your</p> <p>15 testimony that Don Shipman created -- created this</p> <p>16 document?</p> <p>17 A. It was -- it was just common knowledge that</p> <p>18 he was the one who ended up -- not creating it but was</p> <p>19 passing things around.</p> <p>20 Q. I'm sorry. Can you repeat that? I'm</p> <p>21 sorry, I had to switch off of my headphones.</p> <p>22 A. That's okay. I don't -- I don't think he</p> <p>23 was the one that like per se created it. I think a lot</p> <p>24 of them just, you know, created the names that they</p> <p>25 knew. He was the one who actually started to</p> | <p>1 distribute it at some point and then it became common</p> <p>2 knowledge of who all we were.</p> <p>3 Q. All right. And where was this document</p> <p>4 distributed?</p> <p>5 A. On every Facebook page that flight</p> <p>6 attendants were a part of.</p> <p>7 Q. Okay. And have you produced any evidence</p> <p>8 or documentation to your attorneys that Don Shipman was</p> <p>9 creating and distributing this information?</p> <p>10 A. I didn't say he was the one that created</p> <p>11 it. I said that he was one that had been, you know,</p> <p>12 distributing. But there were others that were</p> <p>13 distributing this information. I do believe it is in</p> <p>14 some of the information that I sent to my attorneys</p> <p>15 regarding this, yes.</p> <p>16 Q. Okay. And same for Brett Nevarez, what is</p> <p>17 your basis for your testimony that he created any of</p> <p>18 these documents?</p> <p>19 A. He spoke about the passing around the</p> <p>20 information.</p> <p>21 Q. All right. When did he speak about it?</p> <p>22 A. That he needed to make sure that all of --</p> <p>23 that -- that the membership should be aware of what he</p> <p>24 called scabs.</p> <p>25 Q. Okay. And when did he say that?</p> |
| Page 231 | Page 232 |
| <p>1 A. You know what? I don't remember. It had</p> <p>2 to have been back in -- I can't -- I -- I don't</p> <p>3 remember the date. I just know it's been going on for</p> <p>4 a while.</p> <p>5 Q. Did you personally hear him say that?</p> <p>6 A. I personally was threatened by Brett</p> <p>7 Nevarez.</p> <p>8 Q. Okay. I appreciate that but my question</p> <p>9 was a little bit different. I was asking if you had</p> <p>10 personally heard Brett Nevarez speak about the topic</p> <p>11 that we are discussing right now.</p> <p>12 A. About the recallers and the objectors, just</p> <p>13 seeing it on different messages that he was, you know,</p> <p>14 on Facebook.</p> <p>15 Q. Okay. But nothing you personally</p> <p>16 witnessed?</p> <p>17 A. Not -- not in that context, no.</p> <p>18 Q. Okay. And same goes for Mr. Brian Talbert</p> <p>19 what evidence or information, if any, do you have that</p> <p>20 Mr. Talbert was creating lists, those lists?</p> <p>21 A. I didn't say he created them. He was</p> <p>22 distributing them, let's put it that way.</p> <p>23 Q. And what is your basis for saying that</p> <p>24 Mr. Talbert was distributing these lists?</p> <p>25 A. It was common knowledge throughout the</p> | <p>1 entire flight attendant group because it was on</p> <p>2 different web pages, it was on different flight</p> <p>3 attendant Facebook pages.</p> <p>4 Q. Okay. Do you have any personal knowledge</p> <p>5 of Mr. Talbert distributing that information?</p> <p>6 A. Not personal on that, but again, him</p> <p>7 threatening me, yes.</p> <p>8 Q. All right. While we're on those subjects,</p> <p>9 in what way did Mr. Talbert threaten you?</p> <p>10 A. Well, the recall people -- or I'm sorry.</p> <p>11 The objectors through a text message -- or not text</p> <p>12 message. I'm sorry. On a Facebook post that was</p> <p>13 distributed and then also the one that he called for an</p> <p>14 execution, that would be the one that was regarding all</p> <p>15 of the -- us as objectors -- and Greg Hofer was the</p> <p>16 leader of that objector team basically. And then he</p> <p>17 had put out, Brian Talbert, that I should never -- and</p> <p>18 I've got that -- that Charlene Carter should never hold</p> <p>19 any position within the union and so on and so forth.</p> <p>20 I've also got other communication from Brian Talbert</p> <p>21 when I asked him to cease and desist of trashing my</p> <p>22 name, and I've turned that over to my attorneys as</p> <p>23 well.</p> <p>24 Q. Okay. Did you ever -- this is what you</p> <p>25 were referring to earlier I believe in which you,</p> |

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| <p>1 yourself, turned Mr. Talbert in to the company for a 2 violation of the social media policy; is that correct?</p> <p>3 A. He is the only one I ever, ever turned in, 4 ever, at Southwest Airlines. We just didn't do that 5 back in the day. But when he called for an execution 6 of one of them or any of them, and especially Greg 7 Hofer, it either meant a physical execution or it meant 8 an execution on taking your job away, turning someone 9 in.</p> <p>10 Q. Okay. And did you ever discuss that post 11 with Mr. Talbert?</p> <p>12 A. The post that I discussed with Mr. Talbert 13 and we went back and forth was the one where he was 14 trashing me when I was running for delegate back in 15 2013, and he had said that I should never hold any 16 position at all, and I basically was being warned or 17 put on notice or whatever, I can't remember exactly the 18 wording of it, and that the reason for it was because I 19 had used the word "decertify."</p> <p>20 Q. Okay. And when was that?</p> <p>21 A. That would have been back in I want to say 22 2013. That's when it really started, them speaking and 23 trashing my name.</p> <p>24 Q. Okay. And the post, what specifically -- 25 what specific violation was it that you turned</p> | <p>1 Mr. Talbert in for into Southwest Airlines for? 2 A. It would have been a direct threat because 3 he called for an execution.</p> <p>4 Q. Okay. And when was that?</p> <p>5 A. That would have been -- would have been 6 someone -- somewhere around in 2013 because it was when 7 we were all opting out.</p> <p>8 Q. Okay.</p> <p>9 A. I do believe.</p> <p>10 Q. All right. And -- and you did this -- did 11 you ever ask to have a meeting with the union and 12 Mr. Talbert to discuss that post?</p> <p>13 A. No, I did not have a meeting with 14 Mr. Talbert. I did have a conversation personally with 15 Mr. Talbert, but I didn't have a meeting with him.</p> <p>16 Q. Did you ever request anyone in the union 17 to -- that Mr. Talbert be disciplined for that post?</p> <p>18 A. No, because I contacted him directly.</p> <p>19 Q. Okay. Any reason why you didn't raise that 20 to the executive board or anyone else in power at the 21 union?</p> <p>22 A. Because it was common knowledge that he was 23 being protected by the union and Audrey was able to 24 keep him from getting in trouble.</p> <p>25 Q. Okay. But you made no attempts; is that</p> |
| <p style="text-align: center;">Page 235</p> <p>1 correct?</p> <p>2 A. Personally I did not. I think there may 3 have been some others that did.</p> <p>4 Q. Okay.</p> <p>5 A. Actually I think there was a letter though, 6 I -- correct me. Okay. Because there's some -- 7 there's been so much that has gone on within this 8 union. I think we all did sign on to a letter that 9 went to the union in regards to this. I think all of 10 us signed on to -- there may have been a petition if I 11 remember correctly. I'd have to look back. I can't 12 now -- I can't remember. I'm pretty sure we did 13 contact the union. Not her -- not as an individual but 14 I think it was a -- it was a conglomeration of us, 15 trying to protect our names.</p> <p>16 Q. Okay. But you don't remember specifically 17 one way or the other?</p> <p>18 A. I -- I'm pretty sure we did. I just don't 19 have -- I know it was like a little form letter thing 20 that we were all, you know, trying to send out to -- I 21 don't know it's been so long ago that was back in 2000 22 and I think '13, but I do remember that we -- you know, 23 and the only reason that we were sending the letters to 24 the company was because of the fact that it 25 said "execution" on it. We were all afraid that he</p> | <p style="text-align: center;">Page 236</p> <p>1 would get one of us fired or -- you know, Greg Hofer 2 was actually I think afraid of him at one point.</p> <p>3 Q. Okay. And you say get you fired.</p> <p>4 Mr. Talbert is not in management at Southwest Airlines, 5 is he, or was he at that time?</p> <p>6 A. He's not in management, but he was on a lot 7 of committees and he worked alongside our VP of 8 in-flight.</p> <p>9 Q. Okay. But it's your testimony that 10 Mr. Talbert would have the power to get you terminated?</p> <p>11 A. If he turns in something, a social media 12 violation of some sort, yeah, he could.</p> <p>13 Q. Okay. Well, that would -- you would still 14 have to have violated the social media policy of some 15 sort, is that right, I mean, for Southwest to terminate 16 you?</p> <p>17 A. The only way that Southwest gets any of 18 this information is if somebody is turned in.</p> <p>19 Q. Okay. But you would still -- for Southwest 20 to terminate you would still have had to violate their 21 social media policy, correct?</p> <p>22 A. Depending upon who you are.</p> <p>23 Q. Okay. And what line do you separate there?</p> <p>24 A. Well, I mean, you can look at this being 25 that Brett Nevarez violated social media policy, but</p> |

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| 1 yet he didn't get -- I mean, it even says in this 2 letter right here -- that he didn't get any kind of 3 discipline, that they just had to have a meeting with 4 him. | 1 if anyone's at odds, it's the union and the company, is 2 that correct, traditionally? 3 A. Traditionally, but that wasn't what was 4 happening under Audrey's administration. |
| 5 Q. Do you know if Brett Nevarez is still an 6 employee of Southwest Airlines? | 5 Q. Okay. But Southwest's administration 6 hadn't changed, had it? |
| 7 A. He is. | 7 MR. GILLIAM: Objection, vague. |
| 8 Q. Okay. Now, do you think that that line 9 that you are describing falls on whether you are an 10 objector or not? | 8 A. When you say administration you mean as in 9 the people that work there? 10 BY MR. GREENFIELD: |
| 11 MR. GILLIAM: Objection, vague. You can 12 answer. | 11 Q. Well, yeah, I'm trying to understand how 12 those two ideas jive, that, you know, generally I think 13 the company -- most companies would prefer not to have 14 a unionized workforce. So I'm trying to understand why 15 you think the company would hold an animus against 16 somebody who doesn't want to be a part of the union. |
| 13 A. You mean as in being harmed by the union 14 and the company? | 17 A. Because during the contract negotiations we 18 were the loudest and Southwest Airlines wanted the 19 contract signed. |
| 15 BY MR. GREENFIELD: | 20 Q. Okay. |
| 16 Q. Yes, ma'am. | 21 A. And so -- and we know that Audrey and them 22 were selling us a bad contract and we were very vocal 23 on it, and that was one of the other reasons that we 24 decided to opt out and then also call for recall, and 25 we were also -- all the ones that were doing that were |
| 17 A. Yes, it has direct relation to being an 18 objector. | |
| 19 Q. Why do you think Southwest Airlines holds 20 some sort of bias against objectors? | |
| 21 MR. GILLIAM: Objection. Calls for 22 speculation. You can answer. | |
| 23 A. Honestly that I don't know. | |
| 24 BY MR. GREENFIELD: | |
| 25 Q. Okay. Well, you would agree that generally | |
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| 1 the ones that were really harmed. | 1 terminated for an unlawful basis as well? |
| 2 Q. Okay. And at that time, around 2013, 3 that's what we're talking about, correct? | 2 A. They were targeted. |
| 4 A. It went from 2013 all the way till the time 5 Audrey and them left office. | 3 Q. Well, that's a little bit different than my 4 question is that they were terminated for an unlawful 5 basis or not. |
| 6 Q. Okay. But you opted out in 2013? | 6 A. Some of them were. Some of them were given 7 30-day suspensions. Some of them were given extra 8 30-day suspensions, and others were not. |
| 7 A. Correct. | 9 Q. Okay. Who was not? |
| 8 Q. Along with approximately a hundred others, 9 is that about right? | 10 A. For -- for -- for I would say even worse 11 violations than -- the whole social media policy became 12 a way for them to target certain people. |
| 10 A. Correct. | 13 Q. All right. Who was traded -- who was 14 treated more favorably than you regarding the social 15 media -- |
| 11 Q. Okay. Are -- do you have any evidence 12 today that any of those other individuals have been 13 singled out for termination or retribution or is it 14 just you? | 16 A. One particular, I would say Rickey Span who 17 called for the death of Jeanna Jackson and she was the 18 main recall supporter. She had turned that in and the 19 company did nothing. |
| 15 A. No, there was quite a few. | 20 Q. Okay. Anyone else? |
| 16 Q. Okay. Who else? | 21 A. Well, Brian Talbert got fired, but he got 22 his job back pretty quickly without a nondisclosure 23 after threatening an execution. |
| 17 A. Jeanna Jackson, Greg Hofer, Mike Casper, 18 Kent Hand, Diane Cavanaugh, or -- she goes by Amy 19 Thompson. Those are just a few off the top of my head 20 right now. | 24 Q. Anyone else? |
| 21 Q. Okay. And were all those individuals -- | 25 A. Well, I gave all that information. I |
| 22 A. Holly, Holly Immamovic. She was the 23 loudest when it came to the contract signing. | |
| 24 Q. Okay. And is it -- it's your contention 25 that none of those -- that those individuals were | |

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| <p>1 don't -- you know, at the moment can't recall a bunch 2 of other people. I know that Josh Rosenberg, there was 3 Casey Rittner, there was, oh, Bill Holcomb, and he was 4 part of the negotiating team. He actually put out 5 there about a passenger, which was very sexually 6 harming to a passenger.</p> <p>7 Q. Okay. Anyone else?</p> <p>8 A. There's others, I just can't remember all 9 the names.</p> <p>10 Q. Okay. So your testimony is that Rickey 11 Span was treated more favorably than you in regard to, 12 specifically, the implementation of Southwest's social 13 media policy; is that correct?</p> <p>14 A. That is correct.</p> <p>15 Q. All right. Now, do you know who turned 16 Rickey Span in for this social media violation?</p> <p>17 A. I do. Jeanna Jackson, because he called 18 death upon her when she came to -- or when she was 19 supposed to turn in the recall petition.</p> <p>20 Q. Okay. And specifically you say wished 21 death upon her. What did he -- what did he post or 22 say?</p> <p>23 A. He made a video and threatened her.</p> <p>24 Q. In what -- in what way?</p> <p>25 A. I turned it over to my attorneys. I think</p> | <p>1 that they can probably send it to you.</p> <p>2 Q. Have you seen it?</p> <p>3 A. I have.</p> <p>4 Q. Okay. And so in what way did he threaten 5 Jeanna Jackson?</p> <p>6 A. He said for the -- and I can't quote him 7 specifically, but it had to do with turning over the -- 8 the recall positions, there will be -- there -- death 9 will come upon you and the recall.</p> <p>10 Q. All right. While we're on the recall 11 petition, did you ever review the finding -- there was 12 a committee formed to review the recall petition, are 13 you aware of that?</p> <p>14 A. A committee to what? I'm sorry?</p> <p>15 Q. Review the recall petition. Are you aware 16 of that?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And did you ever review any of their 19 findings?</p> <p>20 A. Yes, I did.</p> <p>21 Q. Okay. And are you aware that some of their 22 findings included forged -- forgery signatures, fraud, 23 and not enough signatures to actually support a recall, 24 are you aware of that?</p> <p>25 A. Yes, I am aware of that.</p> |
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| <p>1 Q. Okay. Let's go on to Brian Talbert. You 2 are the one who turned him in, correct?</p> <p>3 A. No, I was -- it was many, many people that 4 turned him in, but yes, I did, I was one of them, yes, 5 because I knew that that was -- he was coming after the 6 objectors.</p> <p>7 Q. All right. Do you have any personal 8 knowledge of any other individuals turning in 9 Mr. Talbert for social media violations?</p> <p>10 A. I don't know the list, but I know that 11 there was quite a few.</p> <p>12 Q. Okay. Do you have any personal knowledge 13 of any individuals turning in Mr. Talbert?</p> <p>14 A. Well, I know that Greg Hofer did because he 15 came after him specifically.</p> <p>16 Q. Okay. How do you know that Mr. Hofer 17 turned in Mr. Talbert for the violations?</p> <p>18 A. Because he spoke to me about it after he 19 found out that Brian was back out online.</p> <p>20 Q. Okay. And he told you that, "I turned" -- 21 words to the effect that, "I turned in Brian Talbert 22 for violation of social media policy"?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. But you didn't witness it 25 personally?</p> | <p>1 A. No, I didn't witness it.</p> <p>2 Q. Okay. What about Josh Rosenberg, do you 3 know who turned in Mr. Rosenberg for violation of the 4 social media policy?</p> <p>5 A. No, I do not.</p> <p>6 Q. Okay. And do you know what he was turned 7 in for?</p> <p>8 A. He had posted on his Facebook page, it was 9 during the contract negotiations, with a gun pointed 10 and underneath it saying, "Gary, sign now" or "Gary" 11 something or another. So that's Gary Kelly, our CEO, 12 with a gun above it stating, "Gary, sign now."</p> <p>13 Q. Okay. And was Mr. Rosenberg an objector?</p> <p>14 A. No, he was not. But he I believe is still 15 working at Southwest Airlines.</p> <p>16 Q. Do you know if -- do you know what sort of 17 agreement Mr. Rosenberg was offered to retain his 18 employment?</p> <p>19 A. No, I do not.</p> <p>20 Q. Do you know if Mr. Rosenberg was offered a 21 last chance agreement?</p> <p>22 A. I do not.</p> <p>23 Q. Okay. What about Mr. Talbert? You 24 actually said Mr. Talbert was terminated at some point.</p> <p>25 A. Yes, he was. Actually he's been terminated</p> |

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| <p>1 a couple of times. And I think all for social media. 2 The first time I do know that through testimony from 3 the past or stuff that we just did, what, two weeks 4 ago, that -- and even in my arbitration, the first 5 violation that he had with the post, he was brought 6 back within I believe two weeks and he did not have to 7 sign a nondisclosure.</p> <p>8 Q. How do you know that?</p> <p>9 A. It was in the testimony given.</p> <p>10 Q. Do you have any personal knowledge of what 11 Mr. Talbert signed?</p> <p>12 A. I don't have personal knowledge.</p> <p>13 Q. Okay. Now, Mr. Talbert was ultimately 14 fired for social media violations, correct?</p> <p>15 A. He -- no, he's still with the company.</p> <p>16 Q. Okay. And do you know if he's been offered 17 a last chance agreement?</p> <p>18 A. It was said no, he had not been offered a 19 last chance agreement. He didn't have to sign anything 20 to come back.</p> <p>21 Q. Okay. And what about Casey Rittner, do you 22 know who turned him in for violations of social media?</p> <p>23 A. That I do not know.</p> <p>24 Q. And do you know why, what's the basis --</p> <p>25 A. I believe it's the same thing, with a gun</p> | <p>1 pointed to Gary Kelly or with Gary Kelly, I think it 2 was the same type of thing as Josh Rosenberg.</p> <p>3 Q. Okay. And what about Bill Holcomb?</p> <p>4 A. Bill Holcomb was -- I don't think he was 5 terminated. I don't know what kind of punishment he 6 got. But he was the one who posted on his personal 7 Facebook page about a passenger, that there was a 8 banana peel that was on the floor and he made a very 9 sexual derogatory comment about the female passenger.</p> <p>10 Q. Okay. And do you know if Mr. Holcomb was 11 terminated?</p> <p>12 A. No, he was not.</p> <p>13 Q. Do you know if he received a last chance 14 agreement?</p> <p>15 A. I don't believe he did.</p> <p>16 Q. Okay. And why do you think Mr. Holcomb was 17 treated more favorably than you?</p> <p>18 A. Because he was on the negotiating team, 19 working with Audrey and Brett.</p> <p>20 Q. Okay. Now, I believe your testimony 21 earlier today was that Ms. Stone was not permitted to 22 turn you in to Southwest Airlines because it violated 23 the union constitution and bylaws; is that correct?</p> <p>24 A. They take an oath, yes, to not harm a 25 member.</p> |
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| <p>1 Q. Not harm a member, that's right. And at 2 the time she turned you in, you were not a member; is 3 that correct?</p> <p>4 A. I was a dues payor.</p> <p>5 Q. You were not a member of the union, 6 correct?</p> <p>7 A. I'm sorry?</p> <p>8 Q. You were not a member of the union, 9 correct?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And so why do you think that she 12 then violated that portion of the union constitution 13 and bylaws?</p> <p>14 A. I'm not sure why she did since I was still 15 paying her salary.</p> <p>16 Q. Now, that's -- that's an interesting way to 17 phrase that. Let's talk about "allocation by budget." 18 Are you familiar with that term?</p> <p>19 A. Allocation by -- it -- I know I was paying 20 dues to the union still.</p> <p>21 Q. Okay. And do you have any idea what your 22 union dues specifically go towards?</p> <p>23 A. It goes for the everyday workings of our 24 union and their salaries.</p> <p>25 Q. Would you be surprised to find out that as</p> | <p>1 an objector you are aware that you are entitled to 2 representation in the grievance process, correct?</p> <p>3 A. Yes.</p> <p>4 Q. And you received that, correct?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And on CBA negotiations, correct?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. And your money goes to basically 9 collective bargaining and negotiations, correct?</p> <p>10 A. Correct.</p> <p>11 Q. Are you aware that your money does not go 12 to anything else other than those issues?</p> <p>13 A. I thought that all of our money also paid 14 their salaries.</p> <p>15 Q. Okay. Now, would that be -- would that 16 surprise to you find that out?</p> <p>17 A. Yeah, it would. It would surprise me to 18 find that out.</p> <p>19 Q. Okay. Now, you also believe you, despite 20 your dues only going to CBA issues and negotiation 21 issues, you believe you should have a say in how the 22 union uses its money; isn't that right?</p> <p>23 A. If I'm paying them, yes.</p> <p>24 Q. Well, for other reasons, such as what 25 you've deemed to be political speech, supporting the</p> |

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| <p>1 women's march, things of that nature?</p> <p>2 MR. GILLIAM: Objection. Is there --</p> <p>3 sorry. I didn't hear a question.</p> <p>4 A. When I'm paying full dues to my local, I'm</p> <p>5 pretty sure they're using my dues for -- just like they</p> <p>6 would have been if I would have been not an objector.</p> <p>7 BY MR. GREENFIELD:</p> <p>8 Q. And you --</p> <p>9 A. Since I'm paying the -- since I'm paying</p> <p>10 the full amount, except for what international sends</p> <p>11 back to me for not using it in international for their</p> <p>12 political purposes.</p> <p>13 Q. Okay. And what are you basing that on?</p> <p>14 A. That's what I was told.</p> <p>15 Q. Who told you that?</p> <p>16 A. The union.</p> <p>17 Q. Who at the union told you that?</p> <p>18 A. When I was talking with Beth Ross, anybody</p> <p>19 that is in the -- and Dawn Wann, she was in the union,</p> <p>20 she used to be a board member. I've asked her where</p> <p>21 our money goes.</p> <p>22 Q. Okay --</p> <p>23 A. So I was paying full members dues except</p> <p>24 for what they would send to international for political</p> <p>25 purposes, and that was a \$7 and something a month for</p> | <p>1 the quarter, so it would come up to 27 something</p> <p>2 dollars every quarter that I got a check back from</p> <p>3 international, not local.</p> <p>4 Q. Okay. So you're of the opinion that the</p> <p>5 local union spends money on, et cetera, political</p> <p>6 speech, of the money that you pay to them?</p> <p>7 A. It all gets put into one account, does it</p> <p>8 not?</p> <p>9 Q. What are you basing that testimony on?</p> <p>10 A. How our union dues were also collected</p> <p>11 prior to me opting out.</p> <p>12 Q. You actually don't have any personal</p> <p>13 knowledge about where your union dues are being paid,</p> <p>14 correct, or what you pay?</p> <p>15 A. They support everything that the union</p> <p>16 local does.</p> <p>17 Q. That wasn't my question, ma'am. My</p> <p>18 question was that you don't actually have any personal</p> <p>19 knowledge about where the money is being spent, do you?</p> <p>20 A. Only when we get the LM2s and if you go in</p> <p>21 and you ask for how the money is being spent.</p> <p>22 Q. Okay.</p> <p>23 A. But that money is all collected from</p> <p>24 everybody that pays the dues.</p> <p>25 Q. So you --</p> |
| Page 251 | Page 252 |
| <p>1 A. That's their -- that's their working</p> <p>2 capital.</p> <p>3 Q. So based on your reviewing LM2s, you were</p> <p>4 able to discern how your money was being used; is that</p> <p>5 correct? Is that your testimony today?</p> <p>6 A. I would say members' money is being used,</p> <p>7 yes.</p> <p>8 Q. I'm asking about your personal funds that</p> <p>9 you are contributing.</p> <p>10 A. My personal funds? I don't know how much</p> <p>11 exactly has been used out of my money to be able to</p> <p>12 support these things.</p> <p>13 Q. Okay. Thank you.</p> <p>14 Now it's also your opinion that the union</p> <p>15 is spending money to support Planned Parenthood; is</p> <p>16 that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. What is your basis of that</p> <p>19 testimony?</p> <p>20 A. Through our union dues -- well, they went</p> <p>21 to the march, and then all the way up through TWU</p> <p>22 International, and all the way up to the AFL-CIO, they</p> <p>23 make contributions to Planned Parenthood and I've given</p> <p>24 that documentation to my attorney.</p> <p>25 Q. You've given documentation that shows TWU</p> | <p>1 Local 556 donating money to Planned Parenthood?</p> <p>2 A. Through our dues that go all the way up to</p> <p>3 international, yes.</p> <p>4 Q. Well your dues you just said don't go up to</p> <p>5 international, correct?</p> <p>6 A. No, they still collect a certain part of</p> <p>7 it, they just can't use it, supposedly, for political</p> <p>8 purposes.</p> <p>9 Q. So you -- your testimony --</p> <p>10 A. Like political candidates, and this is what</p> <p>11 I was told, or certain PACs.</p> <p>12 Q. So the basis of your testimony is that you</p> <p>13 believe that they are using it in the way that you have</p> <p>14 not allowed them to do?</p> <p>15 MR. GILLIAM: Objection, vague.</p> <p>16 A. Yeah, I'm not understanding your question.</p> <p>17 BY MR. GREENFIELD:</p> <p>18 Q. Well, your understanding is that your</p> <p>19 contributions do not go up to any sort of political</p> <p>20 speech process; is that correct?</p> <p>21 A. As in political, as in a politician, as in</p> <p>22 a senator or a congressman, yes.</p> <p>23 Q. So you don't believe contributions to</p> <p>24 Planned Parenthood in any way is political speech?</p> <p>25 MR. GILLIAM: Objection to the extent it</p> |

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| <p>1 calls for a legal conclusion. You can answer.</p> <p>2 A. I don't -- I don't know. I honestly don't</p> <p>3 know.</p> <p>4 BY MR. GREENFIELD:</p> <p>5 Q. Okay.</p> <p>6 A. I don't know why international would be</p> <p>7 sending money to Planned Parenthood. I have no idea.</p> <p>8 Q. Okay. Well, it's fair to say that if they</p> <p>9 are doing what they told you, they're not sending any</p> <p>10 of your dues that you pay, correct?</p> <p>11 A. International?</p> <p>12 Q. Well, your money gets refunded by</p> <p>13 international, isn't that -- wasn't that your</p> <p>14 testimony?</p> <p>15 A. \$7 a month for, you know, a quarter, a</p> <p>16 \$27 check. That is for political as in PACs. This is</p> <p>17 what I was told. Political as in when it comes to</p> <p>18 politicians.</p> <p>19 Q. Okay. So if it doesn't go to a PAC or to a</p> <p>20 specific politician, you believe TWU International can</p> <p>21 use your dues for whatever they like and that they're</p> <p>22 doing that?</p> <p>23 A. Correct.</p> <p>24 Q. You described the removal of office of</p> <p>25 Chris Click and Jerry Lindermann and others as a coup,</p> | <p>1 correct?</p> <p>2 A. Mm-hmm. And it was written about.</p> <p>3 Q. You realize that there -- are you aware of</p> <p>4 a federal -- of a court case against them that upheld</p> <p>5 the remove -- their removal?</p> <p>6 A. Yes, I do.</p> <p>7 Q. Okay. And you still think it's a coup?</p> <p>8 A. It was an orchestrated -- it was</p> <p>9 orchestrated.</p> <p>10 Q. Result --</p> <p>11 A. They were -- they were removed -- yeah, I</p> <p>12 do believe that it was still a coup, yes.</p> <p>13 Q. Excuse me, Ms. Carter. And that</p> <p>14 orchestration extends all the way up to the state and</p> <p>15 federal court system?</p> <p>16 A. I believe that that was a little bit</p> <p>17 different, that was over property of what the union,</p> <p>18 that -- that Stacy Martin, they sued him for a laptop I</p> <p>19 do believe.</p> <p>20 Q. Now, Ms. Carter, do you believe that even</p> <p>21 though you are not a union member, do you think you</p> <p>22 should still have say on how -- on union operations?</p> <p>23 A. If I'm paying still union dues to the</p> <p>24 local, I believe that I should still have a voice about</p> <p>25 where the money gets spent, yes.</p> |
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| <p>1 Q. Okay. What is your basis for saying that</p> <p>2 Planned Parenthood was the main contributor of finances</p> <p>3 to the women's march in DC?</p> <p>4 A. They were the headline sponsor of the</p> <p>5 march, and I've sent that information on to my</p> <p>6 attorney.</p> <p>7 Q. What is your basis, have you seen any of</p> <p>8 the financials?</p> <p>9 A. I haven't seen the financials. I just know</p> <p>10 that they were the ones that called for the march, them</p> <p>11 and some woman by the name of Sarsour or whatever her</p> <p>12 last name was. But Planned Parenthood was the main</p> <p>13 sponsor of the women's march.</p> <p>14 Q. And what is your basis for that testimony?</p> <p>15 A. The information that they had put out,</p> <p>16 Planned Parenthood.</p> <p>17 Q. Okay. And what information is that?</p> <p>18 A. That they were the ones that created or</p> <p>19 that called for the march. I sent this all to my</p> <p>20 attorney.</p> <p>21 Q. So fair to say that your basis for that</p> <p>22 testimony is documentation that has been turned over to</p> <p>23 your attorneys?</p> <p>24 A. Yes.</p> <p>25 Q. Is there any basis to that opinion?</p> | <p>1 A. I'm sorry?</p> <p>2 Q. Is there any other basis for that opinion?</p> <p>3 A. The other basis?</p> <p>4 Q. Is there any other basis for that opinion?</p> <p>5 Other than the documentation you've turned over to your</p> <p>6 attorneys.</p> <p>7 A. The rest of the march was basically all</p> <p>8 about productive rights so Planned Parenthood.</p> <p>9 Q. Did you attend the march?</p> <p>10 A. I left the day that the march was starting.</p> <p>11 Q. Okay. So what is your basis for forming</p> <p>12 the opinion about what occurred at the march?</p> <p>13 A. Because I was there while the women were</p> <p>14 coming in to the march and the signs that they were</p> <p>15 holding and it was basically a pro abortion versus pro</p> <p>16 choice. For the most part I'd say 98 percent of the</p> <p>17 march was that way.</p> <p>18 Q. Okay. And again you weren't at the march,</p> <p>19 were you?</p> <p>20 A. I was in DC in the same areas. I left that</p> <p>21 day.</p> <p>22 Q. Okay. So to answer my question, you didn't</p> <p>23 attend the march, correct?</p> <p>24 A. I did not attend the march, no, I did not.</p> <p>25 Q. So the foundation of your testimony that</p> |

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| <p>1 you are providing is not based on any personal 2 knowledge, is it?</p> <p>3 A. Personal knowledge to see them coming in to 4 the march, yes.</p> <p>5 Q. You -- no -- you --</p> <p>6 A. Marching, no.</p> <p>7 Q. I'm asking specifically about the march 8 itself.</p> <p>9 A. No, except for what I saw on television 10 after I got home.</p> <p>11 Q. Okay. When did you hire Mr. Gilliam as 12 your attorney?</p> <p>13 A. I sought them out when I got my last chance 14 agreement.</p> <p>15 MR. GILLIAM: I'm going to instruct the 16 client not to divulge any attorney-client 17 communication.</p> <p>18 MR. GREENFIELD: I'm just -- I'm just 19 trying to figure out when you retained your attorney.</p> <p>20 MR. GILLIAM: I would not -- I would -- I 21 would say that that's also delving into attorney-client 22 privilege.</p> <p>23 MR. CORRELL: It absolutely is not, 24 Counsel.</p> <p>25 MR. GREENFIELD: When you were retained?</p> | <p>1 Yeah, how?</p> <p>2 MR. CORRELL: That's not a communication 3 between the lawyer and the client. He's -- we're 4 allowed to know the date of retention.</p> <p>5 MR. GILLIAM: You can know -- you can -- 6 you can tell them when you -- you retained me, but 7 don't reveal any communications that we had.</p> <p>8 THE WITNESS: Honestly I don't even know 9 what the date was that I retained you guys.</p> <p>10 BY MR. GREENFIELD:</p> <p>11 Q. Okay. Was it before your termination?</p> <p>12 A. No.</p> <p>13 Q. Okay. In Exhibit 3, and we can pull it up 14 or not, you mentioned in the 2015 timeline an attorney 15 and you say, "My attorney says this is blatant 16 discrimination."</p> <p>17 Who are you talking about?</p> <p>18 A. That was a family attorney that I had been 19 sending stuff to that Brian Talbert was threatening me 20 with, and told him to either cease and desist or I 21 would -- you know, because he was -- basically it was 22 character assassination, and once I told him that I was 23 sending this to my attorney he stopped.</p> <p>24 Q. The messages you sent to Ms. Stone, why did 25 you send them to her on her personal Facebook page?</p> |
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| <p>1 A. It was the way that we communicated. 2 Her -- her whole Facebook page at the very beginning, 3 and you can still look it up, it says, "Audrey Stone 4 TWU." She changed that name after she turned me in. 5 That was the way she communicated to the membership 6 when she was running for president and she had all of 7 the stuff that, you know, her team was doing or was -- 8 was going to do and so on and so forth, that's how we 9 communicated, and then through Messenger, there was 10 Messenger -- or communication through other board 11 members online through Facebook and Messenger.</p> <p>12 Q. And I'm talking specifically about 13 Ms. Stone, you describe it as "the way we 14 communicated." Did Ms. Stone ever communicate with you 15 personally via Facebook Messenger?</p> <p>16 A. It -- she didn't communicate with me at all 17 ever. Even if you called the office she wouldn't 18 return your call.</p> <p>19 Q. Are you aware of Ms. Stone having a email 20 in her capacity as the union president?</p> <p>21 A. Yes, and I sent her emails as well.</p> <p>22 Q. Okay. And have you turned those over to 23 your counsel for production?</p> <p>24 A. I did. I did.</p> <p>25 Q. And when was the last email you sent</p> | <p>1 Ms. Stone to her union email?</p> <p>2 A. When they -- I do believe it was right 3 before I was turned in, it had to do with, they don't 4 like the National Right to Work Foundation and I have 5 supported the National Right to Work Foundation, gosh, 6 probably since 2009-2010, and they are considered what 7 they -- the union likes to say are union busters, and 8 for me, that they protect union -- I guess I should -- 9 for me what I understand for them is that they protect 10 the members from the abuses of unions.</p> <p>11 Q. Okay. And in -- per your testimony you 12 became an objector in 2013, correct?</p> <p>13 A. That is correct.</p> <p>14 Q. All right. And you were terminated in 15 2017?</p> <p>16 A. That is correct.</p> <p>17 Q. So your testimony is that it took Ms. Stone 18 four years to find a way to retaliate against you to 19 terminate you; is that correct?</p> <p>20 A. That there -- the -- yes, it took her until 21 then to finally was able -- because why didn't she ever 22 return a call or communicate if it was so blatant that 23 she, you know, claims that I was harassing her. I 24 wasn't harassing her. I didn't like how the union was 25 doing things and spending our money and she never</p> |

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| <p>1 once -- and she could have blocked me if she wanted to, 2 but she never once communicated to me even to ask me to 3 stop or can we sit down and talk about the issues that 4 you do not like, which, as far as I'm concerned a good 5 leader would have done. That's what I would have done. 6 I would not have harmed somebody to turn them in and 7 got them fired even with these Facebook messages. And 8 if I didn't like it I would have blocked her.</p> <p>9 Q. Okay. And do you think Jerry Lindermann 10 and Chris -- do you think Jerry Lindermann was a good 11 leader of the union?</p> <p>12 A. Jerry Lindermann was our accountant or 13 whatever, he -- he had taken over John Parrott's 14 position and as far as I knew, yes, they claim that he 15 was supposedly stealing -- I think they said the same 16 thing about Melissa Smith back in the day -- stealing 17 money which was not true.</p> <p>18 Q. You describe it as not true, but are aware 19 of a civil judgment against former -- the gentleman 20 that you describe as "removed in a coup" for 21 misappropriation of union funds and property?</p> <p>22 A. Are you talking about Stacy Martin or are 23 you talking about Jerry Lindermann?</p> <p>24 Q. Stacy Martin. Excuse me.</p> <p>25 A. Stacy Martin, the reason that they took him</p> | <p>1 to court was because he had a laptop, and they sued him 2 over a laptop they said belonged to the union.</p> <p>3 Q. I understand that's your opinion. Are you 4 aware that there is a civil judgment for 5 misappropriation of union funds and property against 6 Mr. Martin?</p> <p>7 A. And that would have been the laptop, and 8 yes, I do.</p> <p>9 Q. And you believe that also was a conspiracy?</p> <p>10 A. No, I don't believe that's a conspiracy.</p> <p>11 Q. Oh, you -- you believe that that was -- is 12 true?</p> <p>13 A. I believe that he still had the laptop. I 14 don't know per se all of the -- the -- which is really 15 odd for a union to sue a member.</p> <p>16 Q. And, Ms. Carter, my questions are a little 17 different. You are aware that a civil judgment exists, 18 yes?</p> <p>19 A. And I believe he paid that civil judgment, 20 correct?</p> <p>21 Q. My question is you are aware that that 22 exists?</p> <p>23 A. Yes, I did, I -- I answered that.</p> <p>24 Q. But you -- you still believe that removal 25 was a coup and that that was inappropriate and a</p> |
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| <p>1 conspiracy, correct?</p> <p>2 MR. GILLIAM: Objection. Compound.</p> <p>3 A. The laptop -- and I'm gonna answer this. 4 The laptop was the way to go after him after they had 5 removed him from the -- from his position.</p> <p>6 BY MR. GREENFIELD:</p> <p>7 Q. Okay.</p> <p>8 THE WITNESS: You can't have dinner yet.</p> <p>9 BY MR. GREENFIELD:</p> <p>10 Q. You described earlier that most that were 11 vocal against her administration were turned in in 12 regard to Audrey Stone.</p> <p>13 A. Yes.</p> <p>14 Q. There -- what is your basis for that 15 testimony? I mean there was -- there were thousands of 16 signatures on the recall petition in your opinion, 17 correct?</p> <p>18 A. It was -- it had to do with the most vocal.</p> <p>19 Q. Okay. And you don't believe signing a 20 petition to recall her presidency is a vocal objection 21 to her administration?</p> <p>22 A. Not everybody is on Facebook, I guess, and 23 their -- their way of being able to harm people was 24 through social media.</p> <p>25 Q. Okay. And are you aware of any other</p> | <p>1 objectors and/or people who opposed her administration 2 who were treated unfairly, can you please list those 3 people for me?</p> <p>4 A. I could probably get you a list, but I 5 don't have a list per se right now. The ones that I 6 have mentioned are the ones that I do recall. But I 7 think I could probably get a list.</p> <p>8 Q. Yes, that would be great. Please. Please 9 provide that.</p> <p>10 But as you sit here today --</p> <p>11 A. I may -- I may have turned some of that 12 over to my attorney.</p> <p>13 Q. As you sit here today, there's no one else 14 you can remember that you haven't discussed already?</p> <p>15 A. Not -- not right at the moment, no. I 16 cannot recall.</p> <p>17 Q. Are you aware of any other objectors that 18 you believe Ms. Stone tried to get fired other than 19 yourself?</p> <p>20 A. Holly Immamovic.</p> <p>21 Q. You believe Ms. Stone tried to get Holly 22 Immamovic fired?</p> <p>23 A. She did get her fired.</p> <p>24 Q. Okay. What is your basis for that 25 testimony?</p> |

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| 1 A. On who she told me who turned her in. 2 Q. Okay. It's your testimony that Audrey 3 Stone turned Holly Immamovic in for a social media 4 violation? 5 A. Yes. 6 Q. Okay. And how do you -- and that's based 7 on Ms. Immamovic told you that, correct? 8 A. Yes. 9 Q. Okay. Do you have any personal knowledge 10 that Ms. Stone turned Ms. Immamovic in for a social 11 media violation? 12 A. No. 13 Q. Anyone else that you believe Ms. Stone 14 tried to get fired? 15 A. Jeanna Jackson. 16 Q. What is your evidence that Ms. Stone tried 17 to get Jeanna Jackson fired? 18 A. She was one who turned Jeanna in on a 19 violation. 20 Q. On a social media violation? 21 A. I believe so, yes. 22 Q. And what is your basis for -- for that 23 testimony? 24 A. Jeanna told me. 25 Q. Did Jeanna tell you how she found that out? | 1 A. Through her -- I believe her fact-finding 2 meeting. 3 Q. Okay. Are you -- and how did Ms. Immamovic 4 find out that Ms. Stone allegedly turned her in for 5 social media violations? 6 A. That I do not know. 7 Q. Are you claiming as part of your lawsuit 8 that the union did not represent you properly during 9 the fact-finding meeting? 10 A. During the fact-finding meeting? Chris 11 Sullivan was amazing. 12 Q. And he was provided to you by the union, 13 correct? 14 A. Yes. But I wouldn't have been there if 15 Audrey hadn't turned me in. 16 Q. All right. That wasn't my question. I 17 appreciate that, Ms. Carter. 18 My question was, Mr. Sullivan was there on 19 behalf of the union to represent you, correct? 20 A. Chris Sullivan was there on behalf of the 21 union on his -- yes, to represent me. 22 Q. And did an amazing job? 23 A. He did, yes. 24 Q. All right. And what about step 2? 25 A. Step 2, Beth Ross and Becky Parker. I did |
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| 1 all of my step 2. 2 Q. Are you claiming as part of your lawsuit 3 that the union did not represent you properly during 4 your step 2 hearing? 5 A. I represented myself for the most part in 6 my step 2. I did all of the research and brought forth 7 all of the information. Becky and Beth did not. They 8 were just there as representatives. 9 Q. Okay. And that's -- I appreciate you 10 elaborating. My question is a little bit different. 11 Are you claiming as part of this lawsuit that the union 12 did not properly represent you during your step 2 13 hearing? 14 A. They were there and represented me, yes. 15 Q. Okay. That's still not answering my 16 question, ma'am. My question is as part of this 17 lawsuit are you claiming that the union did not 18 represent you properly during your step 2 hearing? 19 A. They represented me properly, both Becky 20 and Beth. 21 Q. And you previously testified that the 22 process was fair and complete, correct? 23 A. With -- 24 MR. GILLIAM: The -- 25 THE WITNESS: Go ahead. | 1 BY MR. GREENFIELD: 2 Q. Is that correct -- was fair and complete? 3 MR. GILLIAM: Objection, vague. 4 A. Within my second step meeting, yes. 5 BY MR. GREENFIELD: 6 Q. Okay. And that it was Southwest who made 7 the decision to terminate you, correct? 8 A. I believe it was Ed Schneider. 9 Q. Okay. And do you have any evidence that 10 the union made the decision to terminate you? 11 A. No. 12 Q. Okay. Are you claiming as part of this 13 case that the union discriminated against you during 14 your grievance process? 15 A. Can you repeat that? 16 Q. Yeah. Are you claiming as part of your 17 lawsuit that the union is discriminating -- 18 discriminated against you during your grievance process 19 in either the fact-finding or step 2 hearing? 20 A. No, neither on those two. 21 Q. Okay. Now are you claiming that the union 22 didn't represent you properly because of your religious 23 beliefs at the step 2 or fact-finding meeting? 24 A. Neither on those two. 25 Q. Are you aware of any other individuals who |

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| <p>1 have -- who allegedly haven't been treated properly by 2 the union because of their religious beliefs?</p> <p>3 A. Any other people? I'm sorry? Can you 4 repeat that?</p> <p>5 Q. Yes, ma'am. Any -- any -- are you aware of 6 any other individuals who are -- who haven't been 7 treated properly --</p> <p>8 MR. CLOUTMAN: I lost completely my TV set.</p> <p>9 A. He -- I heard -- I heard somebody else over 10 you.</p> <p>11 Have I heard anybody else being not being 12 represented equally, is that --</p> <p>13 BY MR. GREENFIELD:</p> <p>14 Q. Yes. Are you aware of any individuals who 15 haven't been treated properly because of their 16 religious beliefs by the union?</p> <p>17 A. I don't have any information on that.</p> <p>18 Q. Okay. Are you claiming that the union 19 didn't -- didn't provide you some sort of 20 accommodation?</p> <p>21 A. That the union afforded me some 22 accommodation.</p> <p>23 Q. Are you claiming as part of your lawsuit 24 that the union didn't provide you with a religious 25 accommodation?</p> | <p>1 A. No, they did not.</p> <p>2 Q. They did not provide you a religious 3 accommodation?</p> <p>4 A. They did not provide me a religious 5 accommodation.</p> <p>6 Q. Did you request a religious accommodation 7 from the union?</p> <p>8 A. I didn't know I had to.</p> <p>9 Q. So the answer to my question is no, you did 10 not request a religious accommodation from the union?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. Are you aware of any other 13 individuals that the union has not accommodated -- who 14 has not -- not provided a religious accommodation?</p> <p>15 A. I do not have that knowledge.</p> <p>16 Q. Okay. Are you aware if you filed an EEOC 17 charge for religious discrimination against the union?</p> <p>18 A. Yes, I did.</p> <p>19 Q. Okay. And you provided that documentation?</p> <p>20 A. Yes, I did.</p> <p>21 THE WITNESS: I can't do it right now. I 22 know. I know.</p> <p>23 BY MR. GREENFIELD:</p> <p>24 Q. Is it your testimony that -- when was 25 the -- okay. Let me take a step back.</p> |
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| <p>1 When was the last time you communicated 2 with Mr. Chris Click regarding anything related to your 3 case?</p> <p>4 A. I can't recall. I think we just answered 5 all of these questions. I don't remember. It's been a 6 while. It's probably been over a year ago.</p> <p>7 Q. Okay. And if Mr. Click was to testify 8 otherwise, would that be a lie or inaccurate 9 information?</p> <p>10 A. I would imagine it would be the accurate 11 information. I just don't remember exactly when the 12 last time I talked to him was. I haven't talked to him 13 in a long time.</p> <p>14 Q. Have you talked to him about your lawsuit?</p> <p>15 MR. GILLIAM: Objection, asked and 16 answered.</p> <p>17 BY MR. GREENFIELD:</p> <p>18 Q. You can answer.</p> <p>19 A. I'm sorry?</p> <p>20 Q. Have you ever discussed the factual basis 21 of your lawsuit with Mr. Click?</p> <p>22 MR. GILLIAM: Objection, asked and 23 answered.</p> <p>24 A. Not the --</p> <p>25 MR. GILLIAM: You can answer.</p> | <p>1 A. Not the factual basis. He knows my lawsuit 2 is going on. He knows about the lawsuit. He's read 3 the lawsuit.</p> <p>4 BY MR. GREENFIELD:</p> <p>5 Q. Have you communicated with Mr. Click via 6 text message about the lawsuit?</p> <p>7 A. Only when it became public knowledge, yes.</p> <p>8 Q. You did communicate with mister -- and when 9 do you believe that it became public knowledge? What 10 does that mean?</p> <p>11 A. That would have been back in -- gosh, 12 whenever it was filed. I don't remember the date right 13 off the top of my head.</p> <p>14 Q. Okay. And what did you discuss with 15 Mr. Click via text message?</p> <p>16 A. Just the fact that it had been filed and 17 then he read it.</p> <p>18 Q. And have you provided those text messages 19 between Mr. Click and your -- and yourself to your 20 counsel?</p> <p>21 A. I've provided all of my text messages and 22 my emails and so forth, my attorneys have all of that. 23 I turned that over almost two years ago, a year ago, 24 whenever it was.</p> <p>25 Q. Did you delete any conversations, text</p> |

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| <p>1 conversations between you and Mr. Click regarding 2 anything to do with your lawsuit?</p> <p>3 A. No, I did not.</p> <p>4 Q. Do you have text messages that counter that 5 opinion is what would be -- how would you feel about 6 that?</p> <p>7 A. If I had what? I'm sorry.</p> <p>8 Q. If Mr. Click has text messages that 9 contradict that?</p> <p>10 A. Then I don't remember --</p> <p>11 MR. GILLIAM: Can you --</p> <p>12 THE WITNESS: I'm sorry?</p> <p>13 MR. GREENFIELD: I'll move on.</p> <p>14 All right. If I can just have a couple of 15 minutes off I think I should be able to wrap up.</p> <p>16 VIDEOGRAPHER: We are going off the record 17 at 4:28 p.m.</p> <p>18 (Break from 4:28 p.m. until 4:33 p.m.)</p> <p>19 VIDEOGRAPHER: We are going back on the 20 record at 4:33 p.m.</p> <p>21 MR. GREENFIELD: All right. Ms. Carter, 22 we're getting ready to wrap up and turn it over to your 23 attorney for any questions he has. I just have a 24 couple more and I really do want to thank you for your 25 time today. I know it's a really long day and so I</p> | <p>1 appreciate you being here.</p> <p>2 BY MR. GREENFIELD:</p> <p>3 Q. The last kind of thing I want to talk about 4 is you have a claim for damages against the union in 5 this lawsuit similar to what Mr. Correll asked you 6 about in regard to Southwest Airlines as well.</p> <p>7 What is it that you believe the union is 8 responsible for for any damages you may be seeking at 9 trial?</p> <p>10 A. I can't really put a number on that at the 11 moment. Like I said, my 20-year career, you can't put 12 a number on that.</p> <p>13 Q. Okay. You understand that the union can't 14 get your job back for you, correct?</p> <p>15 A. The union is what created my job loss.</p> <p>16 Q. Okay. But you understand ultimately 17 Southwest Airlines is your employer, correct -- was 18 your employer, correct?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And so being able to get you your 21 position back there is outside of the union's hands, 22 you understand that?</p> <p>23 A. I understand that at this point, but they 24 were the ones that actually created this and got my job 25 taken away from me.</p> |
| <p style="text-align: center;">Page 275</p> <p>1 Q. I appreciate how you feel, I understand, 2 Ms. Carter, I appreciate that.</p> <p>3 And so essentially the emotional damages at 4 center that you discussed with Mr. Correll earlier, is 5 there anything that you would attribute to your 6 termination that we haven't discussed?</p> <p>7 A. No.</p> <p>8 Q. And you believe the union is in part 9 responsible as well as Southwest for those damages, 10 correct?</p> <p>11 A. Correct.</p> <p>12 Q. Okay. And do you believe we should share 13 that burden jointly or how do you -- or do you think 14 one of us is more responsible than the other here?</p> <p>15 MR. GILLIAM: Objection to the extent it 16 calls for a legal conclusion. You can answer it if you 17 can.</p> <p>18 A. I think you both share a responsibility in 19 it.</p> <p>20 BY MR. GREENFIELD:</p> <p>21 Q. Okay. All right. Is there anything 22 related to what you're trying to recover in this 23 lawsuit against the union that was not discussed 24 earlier in regard to Southwest?</p> <p>25 A. No.</p> | <p style="text-align: center;">Page 276</p> <p>1 MR. GREENFIELD: Okay. At this time I'll 2 reserve the rest of my questions for the time of trial 3 and pass the witness to you, Mr. Gilliam.</p> <p>4 MR. GILLIAM: I -- sorry. I have no 5 questions.</p> <p>6 VIDEOGRAPHER: Okay. We are going off the 7 record at 4:36 p.m.</p> <p>8 -00o-</p> |

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| <p style="text-align: right;">Page 277</p> <p>1 CHANGES AND SIGNATURE 2 WITNESS: CHARLENE CARTER 3 DATE: November 20, 2020 4 Page/Line Change Reason 5 _____ 6 _____ 7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____ 13 _____ 14 _____ 15 _____ 16 _____ 17 _____ 18 _____ 19 _____ 20 _____ 21 _____ 22 _____ 23 _____ 24 _____ 25 _____</p> | <p style="text-align: right;">Page 278</p> <p>1 I, CHARLENE CARTER, have read the foregoing 2 deposition and hereby affix my signature that same is 3 true and correct, except as noted above. 4 5 _____ 6 CHARLENE CARTER 7 STATE OF _____) 8 COUNTY OF _____) 9 10 Before me _____ on this day 11 personally appeared CHARLENE CARTER, known to me or 12 proved to me on the oath of _____ or 13 through _____ (description of identity card 14 or other document) to be the person whose name is 15 subscribed to the foregoing instrument and acknowledged 16 to me that he executed the same for the purposes and 17 consideration therein expressed. 18 Given under my hand and seal of office this 19 ____ day of _____, _____. 20 21 _____ 22 Notary Public in and for the 23 State of _____ 24 25</p> |
| <p style="text-align: right;">Page 279</p> <p>1 REPORTER'S CERTIFICATION 2 DEPOSITION OF CHARLENE CARTER 3 November 20, 2020 4 I, Joseph D. Hendrick, Notary Public and 5 Certified Shorthand Reporter in the State of Texas, 6 hereby certify to the following: 7 That the Witness, CHARLENE CARTER, was duly 8 sworn by the officer and that the transcript of the 9 oral deposition is a true record of the testimony given 10 by the witness; 11 I further certify that pursuant to FRCP 12 Rule 30(f)(1) that the signature of the deponent: 13 X was requested by the deponent or 14 a party before the completion of the deposition and is 15 to be returned within 30 days from date of receipt of 16 the transcript; 17 _____ was not requested by the 18 deponent or a party before the completion of the 19 deposition; 20 I further certify that the amount of time 21 used by each party is as follows: 22 Mathew B. Gilliam - 00:00:00 23 Michael A. Correll - 04:54:50 24 Adam S. Greenfield - 01:08:13 25 Edward B. Cloutman III - 00:00:00</p> | <p style="text-align: right;">Page 280</p> <p>1 I further certify that I am neither counsel 2 for, related to, nor employed by any of the parties or 3 attorneys in the action in which this proceeding was 4 taken; 5 Further, I am not a relative or employee of 6 any attorney of record, nor am I financially or 7 otherwise interested in the outcome of the action. 8 Subscribed and sworn to on this date: 9 December 8, 2020. 10 11 12 13 14 15 16 17 <%12550,Signature%> 18 Joseph D. Hendrick, CSR #947 19 Expiration Date: 04/30/2021 20 Notary Comm. Exp. 01/13/23 21 Veritext Legal Solutions 22 Firm Registration No. 571 23 300 Throckmorton Street, Ste. 1600 24 Fort Worth, TX 76102 25 Telephone (800) 336-4000</p> |

1 Mbg@nrtw.org
2 December 9, 2020
3 RE: Carter, Charlen v. Southwest Airline Co & Transport
4 DEPOSITION OF: Charlene Carter (# 4341722)
5 The above-referenced witness transcript is
6 available for read and sign.
7 Within the applicable timeframe, the witness
8 should read the testimony to verify its accuracy. If
9 there are any changes, the witness should note those
10 on the attached Errata Sheet.
11 The witness should sign and notarize the
12 attached Errata pages and return to Veritext at
13 errata-tx@veritext.com.
14 According to applicable rules or agreements, if
15 the witness fails to do so within the time allotted,
16 a certified copy of the transcript may be used as if
17 signed.
18 Yours,
19 Veritext Legal Solutions
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